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STATE OF NORTH CAROLINA.
NEW HANOVER COUNTY.

In Probate Court, August 25th, 1870.

Hanson F. Murphy, Administrator d. b. n. of William Keith, deceased, Plaintiff,
Against
Elizabeth Larkins, David Jones and wife, Margaret Ann Jones, and others, heirs at law of said deceased, Defendants.

Petition for sale of Real Estate for assets.

IT APPEARING TO THE SATISFACTION OF the Court by the affidavit of the Plaintiff that the Defendants, Elizabeth Larkins and David Jones and wife, Margaret Ann Jones, are non-residents of the State of North Carolina. It is therefore ordered that publication be made in the WEEKLY JOURNAL, published in the city of Wilmington, for six weeks, notifying the said Defendants to appear before me, J. C. Mann, Judge of Probate of said Court, at his office in the Court House in said city, at 10 o'clock a. m. on the 13th day of October next, to answer, plead or demur to the said Petition, or judgment *pro confesso* will be entered in this cause as to them and a decree of sale granted according to the prayer of the Plaintiff's Petition.

Witness, J. C. Mann, Judge, &c. Date above.
Davis and Murphy, Plaintiff's Attorneys.
J. C. MANN, Judge of Probate.
aug 26 29-1aw6w

PIEDMONT FEMALE INSTITUTE,
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MR. R. K. MEADE ..... PRINCIPAL.

THE EIGHTEENTH ANNUAL SESSION OF THIS SCHOOL, which is situated in one of the healthiest and most beautiful of the mountainous regions of Virginia, will begin on the 14th of September, 1870.

REFERENCES:—Profs. Maupin, Minor, Holmes, and Schele de Vere, and Greene Peyton, Esq., (Proctor), University of Virginia; Judges Rives, Robertson, and Watson, and the Rev. J. S. Hanckel, and Dr. R. W. Nelson, Charlottesville, Va.; Hon. J. P. Holcombe, Bedford, Co., Va., and Commodore M. Maury, Lexington, Va., all of whom have had daughters at the School.

For terms and other information, apply to the Principal, or the Rev. R. K. Meade, Charlottesville, Va.
aug 19 28-3t*

MARRIAGE GUIDE.

BEING a private instructor for married persons or those about to be married, both male and female, in everything concerning the physiology and relations of our sexual system, and the production and prevention of offspring, including all the new discoveries never before given in the English language, by WM. YOUNG, M. D. This is really a valuable and interesting work. It is written in plain language for the general reader, and is illustrated with numerous Engravings. All young married people, or those contemplating marriage, and having the least impediment to married life, should read this book. It discloses secrets that every one should be acquainted with; still it is a book that must be locked up and not lie about the house. It will be sent to any address on receipt of 50 cts. Address, DR. WM. YOUNG, No. 416 Spruce street, above Fourth, Philadelphia.

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oct 22 37-1ych

From the Raleigh Sentinel.

Judge Brooks at Chambers—Habeas Corpus Cases.

RALEIGH, Aug. 23.

At 10½ o'clock, Judge Brooks took his seat in the Senate Chamber, to hear the matters arising under the writs of *habeas corpus* issued by him.

Judge Brooks stated that the process issued under the rule to compel the respondent G. W. Kirk to appear at 10 o'clock a. m. to show cause why attachment should not issue against him for contempt, in failing to make full return to the writs of *habeas corpus* issued by him, was made returnable at the Court House in this city, but by consent of the counsel, the return could be made at the Senate Chamber, which was agreed to.

Messrs. W. A. Graham and A. S. Merrimon appeared for the petitioners, and Messrs. McCorkle, Bailey and Olds, for the respondent.

Gov. Graham stated that he had been informed that the prisoners for whom the late writs had been issued had arrived. He desired very much to see them liberated and preferred that some action, at least, to the extent of liberating them, should be had prior to taking up the return, and if the counsel on the other side were ready to go into the trial of their cases, he would prefer to do so at once and suspend the proceedings in the other case for the present.

Mr. McCorkle, one of the counsel for the respondent, Kirk, had no idea that these cases would be brought up to-day, thought the return would be taken up and disposed of first, consequently they were not prepared to go into the trial of the new cases at present, as they did not have the returns ready, but thought they could be ready in an hour.

Gov. Graham said he would readily consent to a postponement of the cases for a reasonable time, but in the meantime suggested that the prisoners be released on bail.

Mr. Bailey said he had no objection to the parties being bailed, though he thought they could have the return ready by 3 o'clock p. m.

Judge Brooks said he was of opinion that the rule had precedence over these cases; besides, the amount of bail could not be fixed upon until it was known what charges were preferred against the petitioners and to what extent such charges might be sustained; he therefore thought it best to continue with the rule, which accordingly was taken up.

Mr. Bailey read the return of the respondent, which was a disclaimer, that the respondent Kirk meant any disrespect or contempt to His Honor or his Court, and that he had not surrendered the body of the petitioner in this case, having prior to the return day at Salisbury, surrendered him in obedience to a similar writ issued by Chief Justice Pearson, and served upon him prior to the service of the writ from this Court.

Mr. Merrimon held that the return was wholly insufficient, and urged that a certified copy of the proceedings in this case which were had in the State Court should have been appended to the return.

Mr. Bailey insisted that the return was correct and complete, his client had purged himself of any intentional contempt to the Court, and the only question for the Court to decide was whether his Honor believed the respondent Kirk intended any disrespect or contempt.

Gov. Graham insisted that the writ was entirely insufficient and proceeded to argue the point with great force and ability at length. We cannot do justice to the argument, and therefore attempt no *resume* of it.

Mr. McCorkle replied to the argument of Mr. Graham, discussing ably the merits of the question.

Judge Brooks said that the question now under consideration is not one directly affecting the rights of the petitioner, but only the dignity of this Court. It being admitted that the petitioner is not now in the custody of the military, the only question now under consideration is, whether a contempt of this Court has been committed, and that renders it important to inquire whether the proceedings before the Chief Justice of North Carolina were exhausted or discontinued before the service of process from this Court. To enable this Court to arrive at a correct conclusion in regard to that point, it is clearly proper that a record of the proceedings referred to should be before this Court. If it shall be determined that the proceeding in behalf of this petitioner before the Chief Justice were discontinued before the surrender, then another question may arise, and that will be, to some extent, a question of intent on the part of the respondent, Kirk.

By agreement of counsel this was postponed until to-morrow at 10½ o'clock, and it was further agreed to take up the last cases for whom writs were issued at Salisbury on the 19th inst., returnable at Raleigh at 3½ o'clock this evening.

Court then adjourned until 3 o'clock.

EVENING SESSION.

TUESDAY, Aug. 23.

Judge Brooks took the chair at three and a half o'clock.

Mr. McCorkle, for the respondent, Kirk, stated that counsel was prepared to make returns for those prisoners now held in close custody; there were some who were now on parole; those returns would be made on to-morrow morning.

The first case called was that of John Trollenger, charged, in connection with other citizens, with colluding to burn a school house, and with burning said house.

Mr. Olds, counsel for the respondent Kirk said, they made these returns not with the wish or design of going into an examination before this Court, for the reason that *he* was of the opinion that this Court had no jurisdiction of alleged offences against the State of North Carolina; that this Court had no power to bind (whatever might be the facts shown) this petitioner to answer before a State Court, that any bond or recognizance taken by this Court to that end would be void, and in this he was sustained by the *Judiciary of the State*, and that he did not then feel called upon to state what course would be subsequently pursued in reference to this petitioner and others now before this Court.

Gov. Graham, in reply, said that this seemed to be an intimation that when these parties are discharged by this Court that they would be re-arrested. The law said that when a party was once lawfully discharged, he is not liable to be re-arrested for the same offence. He supposed that the counsel for the respondent intended to intimate that a discharge by this Court would not so effectually protect the petitioner as a discharge by the State Court, and contended that a discharge ordered by this Court would be as effectual in all respects as if granted by the State Court.

His Honor, Judge Brooks, then said that he had *no doubt* in regard to the jurisdiction of this Court. This question had been examined fully upon the application of those who first applied for writs and before process was issued, referring to the 1st section of the 14th amendment of the Constitution of the United States, which distinctly declares who are citizens of the United States, which clearly embraces all such as the petitioners whose cases are now under consideration; and this section further declares that no State shall pass or enforce any law to deprive *any person* of life, *liberty or property* without *due process of law*.

Then His Honor caused to be read the act of the 5th Feb., 1867, and said, he regarded that act as materially extending the jurisdiction of this Court in *habeas corpus* proceedings, that there was no case in which a citizen charged with a crime of any character, whether against the United States or a State of which this Court had not jurisdiction upon petition of the party restrained of his liberty, if such petitioner shall allege that which is recognized by the law to be alleged in his petition. It is not pretended that this Court has jurisdiction to try and to punish for any offence against the State of North Carolina, but it is alike within the power as it is clearly the duty of this Court under the act referred to, to hear and to determine upon any legal evidence offered, whether the petitioner shall be committed or held to bail to secure his appearance before a State tribunal to answer to the charge. It would be strange indeed if it were not so, for the act referred to expressly provides, upon the production of a petitioner that the Court shall examine the evidence, and this requirement would be of no force without the power of securing the party's appearance before any tribunal having jurisdiction of the offense charged.

Gov. Graham moved that the prisoner be discharged, as no evidence was produced against him; the order for his discharge was made.

L. M. Totten and John G. Lee, charged with the murder of John W. Stephens, were called; no evidence; were discharged.

John M. Bradshaw, Wm. W. Whitsett, Jerry Albright and Thos. D. W. Gray were called, charged with conspiracy against the goverument of the State; no evidence; were discharged.

W. G. Graves was called. The return said Graves was arrested by mistake; was discharged.

The following parties being on parole it was agreed by counsel to release them, and make their returns on to-morrow morning, viz: Messrs. John G. Albright John Andrews, Nathaniel Lee, John B. Blackwell, J. A. Patton, Josiah Thompson, Geo. T. Johnson, Jas. T. Dixon, Calvin Gibson, Moses Shaw and Wm. Tate.

Mr. Olds arose to retire, when His Honor remarked that he desired to call his attention to a remark of his made in his argument, that he had said something of a course subsequently to be pursued towards the petitioners by the State authorities. His Honor desired to say to him that as a citizen he had never been disposed to interpose any obstacle, even the least, to prevent any *lawful* proceeding for the purpose of ascertaining offenders, their trial and punishment, but on the contrary he believed it to be the desire of every good citizen that violators of the law should not only be ascertained but punished; that in his official position, he certainly never would interpose any obstruction to the enforcement of the law, but desired to say further, that if under the pretence of enforcing the law a contempt of this Court shall be committed *by any one*, such person may expect to be visited with the *heaviest penalties of the law*.

Mr. Olds disclaimed any intention of casting any reflection on the Court; on the contrary he had the highest regard for His Honor and had always endeavored to be so understood.

The Court adjourned to meet to-morrow at 10 o'clock.

SECOND DAY.

WEDNESDAY, Aug. 24th.

The Court met at 10 o'clock, Judge Brooks presiding.

His Honor stated that the business in order was the question arising on the exception taken on the insufficiency of the return.

Mr. McCorkle presented the return as amended, appending the proceedings had before the Chief Justice Pearson in this case.

Judge Merrimon read the return together with the petition in the cases, which consumed some time, after which His Honor adjourned the Court to meet again at 3 o'clock P. M.

THE STATE VS. F. A. WILEY.

SIXTH DAY—CONTINUED.

WEDNESDAY MORNING, Aug. 24.

After the statement made by Mr. Wiley, as published yesterday, and a few pointed remarks by Judge Battle, of counsel for the accused, the examination of witnesses for the defense proceeded.

Col. E. B. Watt sworn and examined.—Lives in Yanceyville; has an office in the Court House, the first on the right; was there on the morning of the meeting, 21st May. Saw Wiley and Stephens in conversation near the South door of the passage on that morning. In about 15 minutes after Wiley came into his office, and in answer to some remark of his said that Stephens wanted him to run for Sheriff, and remarked also that Stephens had once done a kindness, and he was disposed to treat him with respect. Wiley went out a few minutes, but soon returned, transacted some business matter and then went out again. Wiley had on a black coat; don't recollect about the pants. On Sunday he saw him again, and he then had on a yellow linen coat.

Witness was in the meeting in the afternoon; saw Logan Totten—he was Secretary of the meeting; he was in the court house until after the delegates to Greensboro' were appointed, which was the last thing done. Was at my office till 6 o'clock; many were passing about the passage and in the assessor's room, many of them colored.

(Witness then gave an explanation in regard to a money transaction which required the parties to seek Brannon, the Clerk.) Heard Mr. Hodnett say in his speech that Stephens had received $530 as a detective while getting $7 a day in the Legislature.

CROSS EXAMINED.

Had the conversation with Brannon about the money after the meeting adjourned. There was considerable feeling against Stephens; the boys would sometimes crow at him on the street. He was called by Hodnett a detective. There was very decided opposition if not bitter feeling against Stephens.

Question—Do you believe there was a secret organization in the county to punish persons for stealing, &c., or vigilance committee to chastise negroes for stealing?

Answer—Do not and never did, I have heard of chastisement, but knew nothing of them but from rumor.

Question—Have you reason to believe there is such an organization?

Answer—I have not, only from rumor; do not believe there are any for political purposes. Have only heard of three persons being whipped, one of them a white man, for ill-treating his wife. Don't believe there is such an organization as Ku-Klux.

Col. E. B. Withers examined. Is law partner of Mr. Watt; was at the meeting at the Court House on the 21st May. Was nominated for the Legislature and made a few remarks; stayed till the meeting closed. Totten was Secretary of the meeting and remained in the Court House until the meeting closed; saw him approach Mr. Mebane, the Chairman, while he was making out a list of delegates to Greensboro', which was the last thing done.—Witness stepped into a side room with some others and after a few moments came out and saw Totten gathering up his papers. Witness then went to his office, spoke with Mr. Watt about the money in Brannon's hands and then left for his father-in-law's, about 5 o'clock. Sleeps in the office except Saturday and Sunday nights. Thinks the Court House is 100 feet long, has occupied present office since 1866; front gate is some 20 yards from the door of the Court House; could see through the passage from the gate; thinks he could recognize persons at that distance, if his attention was called to them.

Totten is taller than witness, (5 ft. 6) Mitchell is about ordinary size. Don't think persons could be very readily recognized from the gate to the south end of the passage, nor the doors easily distinguished, unless particular attention were directed to them, or the person were well acquainted with the premises. Totten lives in the country; didn't see him after he gathered up the papers in the court-room.

CROSS-EXAMINED.

Am satisfied Totten didn't leave his place in the Court House till after the adjournment.

Question—Do you know or have reason to believe that there is in the county any secret organization as a Vigilance Committee, or anything of the sort for whipping negroes for stealing?

Answer—I know of none and have no reason to believe there are any.

Question—Do you believe there is any Democratic organization in Caswell to punish black or white for crime?

Answer—I do not.

Question—Have you reason to believe that persons have been illegally punished for violations of law?

Answer—None, except have heard of three cases; have been retained as counsel in three cases alleged to be of the kind, which are yet pending. Outside of these have heard of none.

BY JUDGE DICK.

Question—Have you heard of other murders in the county besides Mr. Stephens?

Answer—Have heard of the murder of a negro named Jacobs and of that of Mrs. Stephens, mother of John W. Stephens, which was said to have been committed up stairs in his house.

George Pinnix examined. Lives in Caswell, 12 miles from Yanceyville; was at the meeting 21st of May; arrived about 9 or 10 o'clock; was in the meeting in the forenoon and stayed some 15 minutes. They were making nominations.

Started home about 10 o'clock. Saw Stephens and had a talk with him when I first got there in ——'s tailor shop. He came in and proposed a walk; we went out toward a blacksmith shop, about 150 yards off; Stephens proposed that I should run for Sheriff, and on my refusal, asked if I would run for the Senate; which I also declined. He then said Wiley would make a good Sheriff, he was a mild man; that he had a conversation with him on the subject and intended to see him again about it. After some further talk witness went to the Court House and soon left for home.

In April last, at Court, had a conversation with Wiley, in which he said he wanted no office, that he was so situated it would be to his interest to remain at home to take care of his mother and educate his children. In the conversation Wiley incidentally alluded to some kindness Stephens had done him and said he could not forget it, or words to that effect.

CROSS EXAMINED.

Question—Was there not very bitter feeling in the community against Stephens.

Answer—With some there was; think it was pretty extensive.

TO THE COURT.

Don't know that Stephens was in the habit of attending Democratic meetings; was not surprised at his being there; had seen him at Democratic meetings before.

John McKee examined, am 14 years old; live in Yanceyville in my father's store; was at the meeting on 21st May a little while in the afternoon. Saw Mr. Stephens sitting at the end of a bench near the middle aisle. Saw Mr. Wiley in the Court House; saw Mr. Stephens touch Mr. Wiley, and Mr. Wiley put his hand on the bench and stooped down towards him, Mr. Stephens said something to him and then Mr. Wiley raised up. I soon left and went back to the store.

CROSS-EXAMINED.

I have been examined before on this matter; stated then that Mr. Wiley put his hand on the bench; am sure I stated this before.

Brice Haralson sworn and examined.—Lived in Yanceyville, have a store there, was there on day of the meeting. Went up in the afternoon while Mr. Livingston Brown was speaking; saw Stephens sitting near end of a bench taking notes; saw Wiley stoop down towards Stephens and Stephens saying something to him; Wiley bowed his head to him. Did'nt see Wiley any more then, but saw Stephens take up his cane and hat as if to leave. I went down at the close of the meeting and found Wiley and Wilkerson in my store.—They were about opening a bottle of bitters which Wiley had bought in the morning. Did not hear what was said between Wiley and Stephens in the Court House. It was but a short time after seeing Stephens take up his hat and stick before I went to the store. I saw Wiley when he left; soon after he and Wilkerson were in the store—think about 5 o'clock.

CROSS EXAMINED.

Mr. Boyden read from printed evidence of witness as given before jury of inquest, and asked, did you state this before.

Answer.—Wiley was not on trial then and of course I did not state these things as fully as now, relating to him; don't recollect whether there was any one in the vestibule when I came down from the Court House.

Question—Was there not very bitter feeling against Stephens?

Answer—I think there was.

Question—Have you reason to believe there are secret organizations in the county to punish white or black for supposed violations of law?

Answer—From what I have heard I think there were.

Thomas Bigelow examined. Live in Caswell some two and a half miles from Yanceyville; was in the Court House on the day of the meeting; was in the meeting in the afternoon at the beginning and left just as Col. Brown was going to speak. Saw Wiley and Stephens in the Court House; Stephens sat at the end of a bench near the aisle. After I went out and was sittting in Haralson's store, saw Wiley come out, not very long after I had come out. I met Wiley on the square and had a short talk with him; while talking young John Kerr came up and he and Wiley went off together; think they went towards Johnston's store; I saw Mr. Wiley three times that afternoon; saw them when he watered his horse at the pump and started home in company with Wilkerson; this was about 5 o'clock or a little after. I left for home about half an hour by sun, in company with George Bigelow, colored, who lived with me; saw Dismukes at the grocery; he got a flask of liquor, and I think he then left for home a short time before Wiley did.

CROSS EXAMINED.

Didn't see Wiley nor Stephens go out of the Court House. I was not examined at the inquest. Saw Wiley come out and go to Haralson's store before Hill was done speaking.

[The same questions were put to this witness in regard to secret organizations as were to the other witnesses.]

Thinks there was bitter feelings against Stephens for other than political reasons; knows of no vigilance committees; don't believe there were any such organizations in Caswell; Hodnett bore down pretty hard on Stephens in his speech.

RE-DIRECT.

Have heard Wiley say he had struck a negro and was brought before Stephens for it and that he fared much better than he expected, and that he felt kindly to him for it.

TO THE COURT.

There have been some three or four people whipped in Caswell; his opinion was that several of the boys would get together and whip; thinks they put on some disguise to prevent being known; knows nothing about it except from rumor; formed his opinion from that.

RE-DIRECT.

Knew nothing about the matter except from hearsay; have heard of a few cases of whipping, about five in all; heard of a negro named Jacobs being killed, besides Stephens, and his mother who was found dead in his house. Heard that Jacobs was sitting to shoot Ku Klux when he got shot.

Recess till 3 o'clock and to meet at the Supreme Court room.

EVENING SESSION.

3 P. M., AUGUST 24.

James H. Hopkins examined. Was at the meeting in Yanceyville on 21st May, acting as Assessor for the township. Was in the meeting in the morning and afternoon; left just as Hodnett was concluding his speech and went to the Grand Jury room to take Mr. Swan's tax list. Remained in the office taking lists until 5 minutes to 6 o'clock; door from passage was open; saw Stephens come into the office and walk round to the right, on the outside of the crowd in the room; knows it was he; didn't see him leave; this was but a few minutes after witness came into the office. Saw Stephens no more; there were many in the office all the time. Locked the door and took the key to Norfleet's store.

CROSS EXAMINED.

Had been in the office perhaps half an hour when Stephens came in. Do not know of any organization to punish negroes for stealing; have no reason to believe there are such organizations in the county, do not believe there is. Don't know that there was much bitter feeling against Stephens; heard Hodnett's speech, heard him say Stephens got money as a spy on the people of Caswell.

TO THE COURT.

Saw no one use the C. and M. room; had not been to that part of the passage; thinks it probable the door leading up stairs from that end was kept locked.

Branch Pinnix examined. Resides 12 miles from Yanceyville, was in the meeting 21st May, and left about 5 o'clock in afternoon. Heard Dr. Roan tell the colored people they should have the Court House to hold their meeting the next Saturday; this was as the people were leaving the room after adjournment. Witness went out to find Mr. Bain who was going his road home, went to Norfleet's and several other places, and not finding him returned through the Court House to see if Bain's horse was gone; the horse was hitched near the south end of the Court House, saw the horse and then turned round to go back and hunt for Bain. As he turned round, saw first door to the left (that of the Clerk and Master,) standing a-jar, pushed it a little further open to see if any one was in, saw no one and then went on out at front, and saw Bain coming from towards Johnson's store; this about two hours by the sun, started home and arrived at Bain's, one mile from his own home about sunset, and reached home about dusk. Thinks he left about half hour after the close of the meeting, saw Wiley as he was passing to the Court House to look for Bain. Wiley was talking with young John Kerr; Wiley had on a black coat.

CROSS-EXAMINED.

Did'nt know Stephens, don't know that he saw him that day—it was but a short time after seeing the door open before starting home; is certain as to the door; has not been to Yanceyville since that day. Heard of the murder of Stephens while at Mebanesville on his way to Salem the Tuesday after the murder; the gentleman who informed him told of the finding the body in that room, and he then mentioned for the first time having looked in there while hunting for his neighbor Bain. Don't recollect from which side the door hung. There was bitter feeling against Stephens; some talked against him others did not; don't know anything of any secret organization to whip colored people for stealing; should not be surprised there was some such; have heard so much about them am bound to believe some of it is true.

TO THE COURT.

Recollects seeing no one in the passage; don't recollect seeing key in the door; saw some wood or chips scattered on the floor of the room.

John C. Wilkerson examined. Was at the meeting on 21st May. Resides at Leasburg, 14 miles from Yanceyville, fourth of a mile from the Person line; left the meeting just as Hill concluded his speech; went down in the vestibule and was reading some advertisements. Wiley came up and they talked for a while about Stephens urging Wiley to run for Sheriff, and Wiley called witness' attention to Stephens at that moment talking to a colored man in the passage; didn't know the colored man; went from there to Mitchell's store; met Smith and Dismukes ready to start home; Wiley told them he would overtake them; went then to Haralson's store and got a bottle of bitters; Wiley went to Johnston's and to the Drug store, and in a few minutes, not exceeding ten, came round with his horse to the pump and after watering his horse they started for home.

CROSS EXAMINED.

When I saw Stephens in passage there were a few persons up in the court-room where they were appointing delegates to Greensboro'. Don't remember how Stephens was dressed; seemed talking friendly to the colored man; don't know if any one was in the grand jury room. Thinks the feeling against Stephens was bitter; don't know of any organization, suppose there were such; saw a company of them, 24 in number, once at Leasburg—they did no mischief there that witness heard of.

RE DIRECT.

Didn't know any of the persons, they were disguised with long white robes; came from towards Hillsboro', went back same way; horses were not disguised; they wanted whiskey and tobacco; enquired for a certain negro magistrate, thinks they went to his house, don't know; wanted witness to go there with them, he refused.

Jerry Smith examined. Was at the meeting; came out a little before 5 o'clock, knew the time by looking at his watch; passed Wiley on the Court Square; got his horse, Wiley said he would overtake me; he did overtake me about three miles from town. The meeting had closed when I left the Court House; went right out and started home in 15 or 20 minutes.

CROSS EXAMINED.

Have heard of secret organizations; know of none; had heard of three cases of whipping, can't say there was bitter feeling against Stephens; don't remember what Hodnett's remarks were; he did not seem to talk bitter, but told the colored people why their wages were so low and taxes so high.

George Bigelow, colored, examined.—Was in the meeting at Yanceyville in the afternoon; saw Stephens there; saw Wiley when he went out; Stephens soon followed; I followed soon, and when I got down saw Wiley and Stephens at the foot of the stairs; Wiley turned off, and as he did so heard him say to Stephens, 'I can't do it.' Don't know what he meant. Wiley went on out at the gate; Stephens went in the same direction. Near the gate a white man spoke to Stephens; the man had a paper in his hand; witness went out; at the gate turned and saw Stephens and the man going into the passage of the Court House.

I went to some of the stores looking for Mr. Thomas Bigelow; not finding him went back to the Court House; at the front door saw Stephens; asked me where I was going; told him I was looking for Mr. Thomas Bigelow; he then said there was no one in there, and I went back, leaving him standing there. I met Mr. Bigelow near Johnson's store, and we soon started home. We met Mr. Felix Roan a mile and a quarter from Yanceyville, at Harrell's bridge; got home about dusk; it is between 2 and 3 miles from town.

CROSS EXAMINED.

Lives with Thomas Bigelow; and went home in a common walk; it is a little over two miles; got home about dusk. Told about seeing Stephens first to Thomas Bigelow; talked about it day before yesterday; don't remember any one else present at the time I saw Stephens.

Dr. Preston Roan examined—Saw Wiley on the day of the meeting; saw him leaving town with Wilkerson about 5 o'clock in the afternoon; was returning from a professional visit; thinks it was soon after the meeting adjourned.

CROSS-EXAMINED.

Wiley and Wilkerson were together when I saw them leaving. Thinks there was bitter feeling against Stephens on the part of a few, don't think it was general.—Knows of no secret organizations in Caswell; does not believe there are any there; didn't notice the color of Wiley's coat that day; had on yellow linen coat on Sunday.

Lee Hensley examined. Was in Yanceyville on the day of the meeting; was at the Court House between 4 and 5 o'clock in the afternoon; went to give in my tax list; office was crowded and I walked to the south door; Mr. Wiley came there and I told him I wanted to talk with him about getting pay for time I worked when bound out. (Witness stated substantially same as what was stated by Mr. Wiley). Hamp Johnston, Dr. Richmond and another white man came up. Mr. Wiley joked Hamp Johnston about a girl at his house. I went then to the tax room and saw Mr. Wiley coming along behind me; I had to wait some time to give in my list, and after that went back to where I was mowing grass and then went home.

CROSS-EXAMINED.

Saw Wiley at the door where the high steps are; Wiley came there through the passage from the front door; don't know where Dr. Richmond and the others went from there. Don't know anything about Ku-Klux, they never interrupted me.

James A. Henderson examined. Am a merchant in Yanceyville; saw Wiley in the afternoon at my store; he came in to borrow something to give his horse water in; lent him a small tub; saw him at the pump; saw him get in his buggy and leave; this was some time before night.

CROSS-EXAMINED.

There were a great many who did not like Stephens and his course; suppose there was some bitter feeling against him; have heard of disguised persons going through the country; don't believe there are any vigilant committees; believes there have been disguised parties who have whipped some persons.

A. J. Hooper examined. Lives 5 miles from Yanceyville; was there at the meeting and left late in the afternoon, at about half an hour by the sun; got home about supper time, was afoot; saw Stephens just before I left; he was at the Court House gate, there were some 4 or 5 colored men with him or near him; knew Stephens well, has no doubt it was he; was some 20 or 30 yards from him. Saw Felix Roan about sunset coming out at the gate at his farm going towards town.

CROSS EXAMINED.

Stephens was in front of the gate; saw no white people near him; the crowd had pretty well broke up; heard nothing of his being missing before I left. Was not before the jury of inquest. Spoke to my mother about seeing Stephens and to uncle Jack Kimbrough; don't remember now how it came to be talked of; spoke of it soon after Kirk arrested Wiley.

RE-DIRECT.

I spoke of it to mother, after Kirk arrested Wiley, because I had seen Stephens after it was said Wiley had gone home.

A. J. Kinbrough examined. Live six miles from Yanceyville, was there on the afternoon of the meeting; left when the sun was about an hour and a half high.—Before I left I saw Wiley watering his horse at the pump, stepped in the store and came out again in a few moments and he was gone. About half an hour after Wiley left, saw Stephens going past the front of the Court House towards the east, turn the north east corner of the fence in the direction of Corbett's. Know it was Stephens. There was a colored man walking in the same direction some distance behind Stephens.

CROSS EXAMINED.

I was about 40 yards off when I saw Stephens; don't remember he was walking fast or not and didn't notice his dress. The negro was some 8 or 10 steps behind him. Spoke of seeing him to my brother, perhaps the same day; don't know how it came to be talked about; think I said I wondered where he was going, and something was said about his going to a meeting at the school house. Did not speak much about this because was afraid of being arrested.

RE DIRECT.

There is a footway by Mr. Withers' in this direction, to the school house, and I thought he might be going there; or that they might be going to have a meeting somewhere else.

Adjourned to 9 o'clock to-morrow morning.

LATEST NEWS
BY TELEGRAPH.

The War in Europe!

STILL ON TO PARIS.

"OUR FRITZ" DETERMINED!

THE CROWN PRINCE DECLARES WAR AGAINST THE EMPEROR, NOT THE PEOPLE.

PRUSSIAN LOSS HEAVY,

MONHEIM, Aug. 27.

The French General Bataille, is moving rapidly.

Gen. Legrand was killed at Gravelotte. He left 11 daughters.

LONDON, August 27.

Thursday evening the Prussian headquarters were at Bar Le Duc. The advances had reached a point midway between Chalons and Epernay.

The march on Paris is to be conducted leisurely by the Prussians, as no farther opposition is anticipated.

There is authority for saying that the fortifications of Paris, unless manned by 300,000 men are worthless.

French reports say that Luneville is so filled with Prussians wounded, that 3,000 men are left unsheltered.

Bismark's son is more seriously wounded than was at first reported. He has been sent home.

Bourges, Capital of the City Department of Cher, is fortifying. It is stated that the Emperor and members of the Senate Corps Legislatif will go thither. The right wing of the French army has already taken that direction.

Austria has concurred in the declaration of neutrality accepted by Italy.

The Russian Minister has returned to St. Petersburg from Vienna. The object of his visit was to express on the part of Russia a strong desire to improve their relations with Austria. Austria reciprocates and is anxious to contribute to its fulfillment.

Ratifications of treaties guaranteeing the neutrality of Belgium were exchanged here to-day by various European powers.

A junction of Bazaine with McMahon has not been effected.

The Prussian Prince Royal has issued a proclamation saying that Prussia makes war against the Emperor, not the people. The people have nothing to fear. The Prince announces his purpose to restore every line of travel intercepted or destroyed by army operations, so that labor and commerce may everywhere be renewed.

The French officials have been ordered to remain at their posts.

Personal safety has been guaranteed to the Hessians.

The French are distinguishing themselves by traditional pillage and brutality.

BERLIN, Aug. 27.

Reserves are organizing here under General Canstein, and at Glogan under General Lowenfield.

PARIS, Aug. 27—Midnight.

The following was made public at the office of the Minister of the Interior:

The Prussians are passing through Nancy going towards Chalons. The siege of Toul has been abandoned, owing to the vigorous resistance of the garrison. The Prussian scouts have cut the Railway at Tamonilly, between Montmedy and Mezieres. They were, however, repulsed by French sharpshooters and the road repaired.—The Prussians at Stenay are falling back on Dun, further South.

The King and Crown Prince are moving on this city *via* Marne and Aube. They commit fearful pillage and unheard of outrages on the route.

From Washington.

WASHINGTON, Aug. 27.

Attorney General Akerman decides that he has nothing to do with a conflict between State and Federal laws regarding voting in States. Parties must appeal to the Courts. The question at issue, involves the right of ex-Confederates to vote in Missouri.

Senator Abbott and ex-Senator Clingman, of North Carolina, are here.

WAR IN EUROPE!

BERLIN, Aug. 27.

A note from Berlin is addressed to the Prussian Envoys in regard to the flag of truce, asking a cessation of hostilities to bury the dead, which truce was refused and the flag insulted three times. Prussia therefore declares its resolution to offer no diplomatic negotiations to the French people until the Empire is declared at an end.

PARIS, Aug. 27.

The assertion of the correspondent of the Daily News, that the Garde Mobile, is composed of children under 18, is untrue. Every member is from 20 to 25.

There have been more arrests under Trochu's decree.

The morning journals persist in reporting serious engagements within the past few days, resulting in favor of the French.

There are now in Paris 15,000 sheep, 40,000 hogs, and 25,000 beeves. In case of siege, the authorities will prevent unreasonable prices for the necessaries of life.

Several more spies were executed to-day.

The Prussians' approach causes intense excitement.

Dispatches from various Provinces announce a sudden and immense increase of volunteering for the defence of the Capitol.

The railway stations at Reims were recently pillaged by bummers and the imperial baggage stolen. It has been since disposed of to various dealers here. The value of the property taken is immense.

The Emperor is with McMahon, who is on retreat by way of Vouziers and Prisse.

It is affirmed that Steinmetz is cut off from Prince Frederick Charles and driven northward; also that the Prussians are decidedly checked at Mezieres.

It is reported that the Government is preparing a note to its representatives announcing that France will prosecute the war to its last extremito, and no proposition looking to peace will be entertained while the enemy is on her soil.

The following is official and furnished by the Minister of the Interior:

A force of Prussian cavalry has been seen at Arcis sur Aube. [Note—Arcis is the capital of the Department of Aube, 16 miles north of Troyes, and 25 miles south of Chalons.] A detachment of Uhlans attacked the railroad depot at Epernay, while others of their main body entered the town. The National Guard attacked and repulsed them; killing 17. A strong column of Prussian artilery has entered Chalons. The garrison of Strasburg yesterday sortied and captured a convoy of cattle and some munitions of war. The city still makes a vigorous resistance.

A large body of Germans, supposed to be of Landwehr, lately passed through Nancy, Vaucouleurs and Joinville for Chalons.

The report of the appearance of Prussian scouts at Chateau Thierry is unconfirmed. Detachments are reported to-day at Reims, Varennes, Verdun, Pfalsburg, Bar La Duc, Stenay, and on the railroad between Soissons and Reims.

LONDON, Aug. 27.

Metz is gorge with wounded, and the provisions are failing.

The Prince Imperial is at Bothel, 23 miles from Mezieres.

Bazaine officially reports the French loss at Resonville at 23,000.

Representatives of France, England, Prussia signed the Belgian neutrality treaty.

The Times, reviewing the Prussian resources, says: Three armies of reserves are formed to wait events; one on the Rhine, under the Duke of Mecklenburg Schwern; one at Berlin, under Gen. Canstin, and one in Selisia under Gen. Torrentzer.

According to the French report 15,000, but according to the Prussian report, 20,000 French soldiers are disabled by hospital and typhus fever.

The Prussians are intensely incensed about firing on flags of truce.

The Prussians say that half of the journey to Paris is accomplished. All obstructions are left behind.

The English Government, while its militia and volunteers are only half armed, ships 40,000 rifles to the continent at the same time that the English people send lint and bandages for the wounded.

The movement to aid the French and German wounded has become universal in England.

THE WILMINGTON JOURNAL

WILMINGTON, N. C.

FRIDAY, SEPTEMBER 2, 1870.

Packing of Cotton.

Messrs. Williams & Murchison, Merchants of this city, call the attention (in their circular) of the Cotton Farmers "to the propriety of using barely enough bagging to cover the Cotton, not allowing it to lap over at all. If it is necessary to put on a strip of bagging, put the strip only on one side. Use but six ties to the bale, and let these be no longer than necessary. Any unnecessary weight of bagging or ties subjects the Cotton to a deduction in the New York market, which market controls all other domestic markets."

We would urge upon our farmers the propriety of taking this matter into consideration. We feel confident Messrs. W. & M. would recommend nothing that they do not know to be to the interest of the agriculturist.

The War in Europe—The Situation at the Last Advices.

It seems that after the great battles around Mars-la-Tour, Gravelotte and Resonville, Bazaine, with the bulk of his army, was able to maintain his position in the vicinity of Etain, while a portion of his troops strengthened the garrison of Metz. He was, however, unable to communicate with McMahon. On his side, McMahon at Chalons could not risk a battle with the concentrated Prussian armies which were between him and Bazaine. Instead, therefore, of trying to communicate with him by a direct line, he turned his face northward. On Monday, the 22d, his whole command, estimated at 150,000 to 200,000 men, marched from Reims towards the northern frontier, following the railroad to Mezieres. Turning at that point with the railroad running east to Montmedy, we hear of him there and at Stenay, having thus turned the Prussian armies and established communication with Bazaine. He has now an army of perhaps 200,000 men in the flank and rear of the Prussian line of advance upon Paris. In this position his aim should be to avoid a battle; for time is of priceless value to the French.

Since writing the above, a noon dispatch (29th) from London, announces the defeat of McMahon by the Crown Prince. The London dispatches have generally proved false, and bitterly hostile to the French. Neverless, the fortune of arms, which has generally gone against the French in this war, may have again proved adverse to them. If so, it will only show that the best strategy is insufficient without other elements. The best laid plans of the best generals must fail if the enemy prove too strong for him at the decisive moment of execution. We cannot judge of the effect of this last battle until we receive more authentic and detailed accounts.

CAPE FEAR AGRICULTURAL ASSOCIATION.

Preparations are in active progress to finish the new buildings, improve the race-track, and get everything in readiness for the approaching Fair of the Cape Fear Agricultural Association, which, we feel assured, will be a grand success.

The first Fair was all that its friends and the visitors could have expected. But the next one will surpass the former in every respect. A much larger attendance of people and exhibition of articles and animals are expected and will be provided for. The Premium List, which has been extensively distributed, is much fuller and more attractive than before. The people, too, are satisfied of the success of the Association, and are fully aroused to its benefits and importance.

Nothing will be left undone to provide for the comforts of visitors or to contribute to their entertainment and amusement. The officers of the Association are doing all they can to render the Fair successful and attractive, and a committee of citizens have undertaken to provide for their entertainment by getting up a magnificent Tournament and Dance.

We desire to call the attention of housewives, agriculturists and mechanics to the tempting special premiums offered in their respective departments. Through the liberality of the Navassa Guano Company of Wilmington, a ton of their celebrated Fertilizer will be awarded to the agriculturist who makes the best and largest exhibition of the products of the soil, the result of his own labor or management. A dozen silver dessert knives are to be awarded to the lady who displays the best and largest exhibition of Jellies, Preserves, Pickles, Jams, Catsups, &c., of her own make. Also to the lady who exhibits the largest number of meritorious articles in the Household department, the result of her own labor or direction, will be given a handsome Silver Tea Set. A premium of Fifteen Dollars is offered to the mechanic who exhibits the largest number of meritorious articles of his own make and ingenuity. There are many other attractive premiums, independent of the desire which all possess to excel one's neighbors in the friendly rivalry which the Association invites in industry and skill.

The Association are having prepared a most beautiful Diploma, which will be given only to the exhibitors of the most meritorious articles, and which will be an ornament the possessor may well be proud of.

President Fremont has issued an address to the people generally, extending to them an invitation to be present at the Fair, and promising all a warm welcome on the occasion. It gives us pleasure to publish it in our columns.

ROOMS OF THE EXECUTIVE COMMITTEE CAPE FEAR ARIGULTURAL ASSOCIATION.

WILMINGTON, N. C., July 25, 1870.

To the Patrons and Friends of the Cape Fear Agricultural Association:

The Executive Committee are making the most ample preparations for holding at their Fair Grounds, the next (second) Annual Fair, to commence November 15th, and to continue for four days.

Our Premium List is now published and will soon be distributed for the information of contributors.

We invite all our people, planters, farmers, mechanics, merchants and manufacturers, and we do not confine our invitations to the people of our own State alone, but we invite the people of all the States, and of every clime, to come to our Fair, or Exposition, and submit specimens of the productions of their soil, of their work-shops, of their merchandize and their manufactories, to a comparison with similar specimens that will be presented by other competitors.

And last, though not *least*, we invite the ladies most cordially to come and help us to make "Floral Hall" all that it should be—a credit to *our* country—"the Cape Fear Country."

We hope and expect to make "Floral Hall" a place where works of art and refined taste may be found, seen and admired. "Floral Hall" will, of necessity, be the centre of attraction. We therefore say to the ladies—you must make it all that your best friends could wish it to be. We leave it in your hands, and we know we shall not be disappointed.

To planters and farmers, horticulturists and vine-dressers, we say come *en masse*, with the rarest specimens of your fields, and let none stay away or leave behind him any specimen of his crops, because he fears competition, and that he may not win the highest prize. Comparatively few that exhibit can take the highest prize. But all can show their interest in the cause we have at heart, by being present first, and by presenting, if possible, something rare and good tha they have produced. Remember, tillers of the soil, that you are nearly the only producers of wealth—all others are exchangers. Miners and mechanics are very near of kin to you, but you stand first. Show, then, a noble and manly resolve to do your duty "in that state of life in which it has pleased God to call you." By an exchange of thoughts, and in experience in your great work of replenishing the earth and subduing it," you may do much good to your fellows, and at the same time learn much in return. It is by such means that our Association hopes to benefit all classes of our people. Come, then, and spend a few days in social re-union and pleasant intercourse, after a long summer of heat and toil. You are richly entitled to the recreation as a reward for your honest industry. You may here acquire and impart information to your fellow-men that will tend to make us a great agricultural people in the largest sense of the term.

To the mechanics and manufacturers we say come, with your works of art and scientific skill. Remember, upon you rests the responsibility of making our great agricultural section absolutely independent of the rest of mankind, or more nearly so than any section can be made. This great work you *must* accomplish, and it must not long be delayed. When we can say that our soil yields all the products necessary for man's comfort, and that our work-shops and manufactories produce all that is necessary and needful for the health, happiness and well being of our race, then, and not till then, shall we be an independent and self-sustaining people. All you have to do is to *excel* others in the good quality and cheapness of your productions. Bring your best specimens and compare them with your neighbors, and more distant competitors, and you will learn more in our four day's exposition than you will acquire in a life time, if you stay in your own shops, and never look beyond them. The true mechanic, like the true man everywhere, learns much by observation, and where can you find so fine a field for this as at these, our annual exhibitions of works of nature and of art.

To the merchants of Wilmington: We invite you all to come to our Fair, and place on exhibition some specimens of your merchandize or trade. Places will be assigned you, and you must not again fail to come to your own Fair. You have aided us in a material way, but you must not stop there. Come and help us. Ample space will be allowed to all—the wholesale and retail dealer. This Fair belongs exclusively to none, but especially to all our people. Come, then, with your specimens, and let us see that commerce and trade goes hand in hand with agriculture and the mechanic arts.

Finally, we say to *all* our people, *come*. From the Roanoke to the Congaree, and from the Neuse to the Pee Dee, we say come! and let us assemble on the banks of the old Cape Fear, and interchange views upon the products of our several counties—exhibit our specimens, and have an old fashioned social *re-union* worthy of the people, the place and the occasion.

Miners and Mineralogists are invited to come with specimens of North Carolina's great mineral products. You will be welcome to our exposition, and ample space assigned for your accommodation.

Ample accommodations will be made for every kind and description of the products of our fields, our mines, our shops and our warehouses.

Lastly, if you can bring nothing else to exhibit, bring yourselves and your families. You and they will be welcome guests of the Association and people of Wilmington.

By direction of Executive Committee.

S. L. Fremont,
President.

New Hanover County.

We regret to see a disposition upon the part of some people to stir up local and sectional prejudices, and to engender feelings of hostility against certain counties and cities. There is too much of this feeling in North Carolina, and the efforts of the press should be to allay it. We therefore regret that the Editor of the Charlotte *Democrat* should not have been governed in regard to the policy of the publication of the following letter by his judgment rather than by his personal feeling for the author. In preferring to gratify an old friend at the risk of offending the "gallant Conservatives" of New Hanover, the Editor has done our people and county the grossest injustice:

A VOICE FROM THE EAST.

Mr. Editor:—In looking over the returns as I find them in the Wilmington Journal, it is surprising to see how many of the counties have held their own, while the noble counties of Davidson has gained 1,074, Chatham 813, Guilford 689, Moore 457, Stokes 468, Surry 680; making in all a *gain of 4,073 in those six counties*. Besides this, many of the counties north, east, west and south came up nobly. In all the counties where the Rads fell short in large numbers, the Conservatives were sure to *gain in proportion*, except in New Hanover. Strange to say that in that county the Rads fell short 1,054 votes, which allowed *gain a portion* of that 1,054 votes, but to the surprise of every one New Hanover, the elite of North Carolina, with all her array of statesmen and speakers, not only failed to bag any of the 1,054 Rads who failed to vote, but actually had not influence enough to bring out the Conservative vote. We lost or did not vote our own by 263 votes; consequently the East thinks that Wilmington has no claims on the Conservatives.—Let little Robeson be heard. She has rid the Legislature of three Jackals, and she has a McLean, a Morrisey, a Leitch and others, and her sister Cumberland has also rid the Legislature of three other Jackals; Cumberland has her worthy Fuller, McKay and many others. Although these two counties fought night and day they are not at all clamorous for the loaves and fishes, but we down here in the East, if we dare suggest, would name the Hurcules, Hon. Josiah Turner, Jr., as our choice for U. S. Senator. There is but one voice in the whole East, and that is for Josiah Turner, Jr. But if we cannot get him, let us have by all means a man from the West; let us show some gratitude to the West for her gallant acts, for if it had not been for the West, and we were obliged to depend on New Hanover, we would be still under Holden bondage.

Simple Justice.

We would not have noticed this communication but for the testimony borne by the *Democrat* as to the character of the writer, because, in the first place, it was anonymous, and, in the second place, it bears upon its face such palpable evidences of the prejudice, if not the malice, of the author, that it would have done the "gallant Conservatives" of New Hanover no harm.

The charge is broadly made in the letter that New Hanover has not done its duty, and this is attempted to be shown by instituting what would seem to purport to be a comparison between the action in six counties selected from different parts of the State, and that of New Hanover. The writer compares the Conservative gain in these six counties with the Radical falling off of 1,054 votes in New Hanover, as if the Conservatives of this county were in fault therefor, to which "soft impeachment" we plead guilty, for it was owing to the prudent management of the canvass here that these 1,054 Radical votes were not polled against us.

The writer also holds us responsible or the loss of 263 Conservative votes. It is true that there was a falling off of that number as compared with the vote given for Seymour. We do not propose to offer any excuse for the few—the very few—New Hanover Conservatives who failed, through indifference, to vote in the recent election. Their course finds no justification with us, and we leave them to settle with their own consciences for their action. But there are three reasons to be given for this falling off, two are justifiable under the circumstances, and the other, whether good or not, operates upon elections in every county in every State of the Union.

The canvass in New Hanover was organized and conducted with the view to elect one Conservative Senator of the two to which the District is entitled. If this was an error the Conservative members of the last Legislature are more to blame than we are. They told us the fight was for the next Legislature, and without a majority in *both* Houses a victory would be almost barren of good results. They told us further that the Conservatives would carry the House, but the Senate was doubtful, urging us at the same time to secure one of the Senators, if possible. We promised to do so, in the face of a negro registered majority of 1,534 votes in the District.

To carry out this object there was a great deal of "swapping" in favor of Major McClammy, our candidate for Senator, who ran considerably ahead of Judge Shipp, as the result of this determination to secure his election. Then in many instances Conservatives remained from the polls in company with *several* colored employes, thereby causing a falling off in the Conservative vote, it is true, but doing much towards effecting the 1,054 Radical loss.

Again: since the election in 1868, a portion of the county in which there is a Conservative majority has been cut off from New Hanover county, which votes were cast in Sampson county.

In the third place, there was no county candidate in the field, except McClammy, until the morning of the election, and announced then only in Wilmington; and the ticket was not full. The effect of this was that many persons felt no interest in an election which seemed to have no local bearing. This is wrong, but, as we have said, operates in elections in every county in the United States.

So much for the Conservative falling off in New Hanover.

Notwithstanding the above explanation, we cheerfully accept the challenge given by the writer, and are perfectly willing to go into a comparison of the fruits of Conservative labor in New Hanover with that in the six counties named, though they were carefully selected, doubtless as those best suited to his purpose, to prove that New Hanover had failed in her duty.

The following table, made up from the same source from which the writer derives his figures, shows that the per centage of white registered voters in New Hanover, who failed to cast their ballots, was smaller than in four of the counties named, and that in one other, Surry, it was the same.

The table further shows that in five of the six counties thus selected the Radical candidate received a vote from *thirty-four* to *one hundred and eight* per cent. larger than the negro registered strength, while in New Hanover that same Radical candidate received a vote *twenty-nine per cent. less than the negro strength.*

Upon these figures, open to the writer equally with ourselves, we are willing to rest the case, whether "New Hanover, the elite of North Carolina, with all her array of statesmen and speakers," has done her duty.

	White Registered Vote.	Negro Registered Vote.	Shipp	Phillips	Per ct of loss on White Registration	Per ct of gain on Negro Registration	Per ct of loss on Negro Registration
Chatham	2,358	1,225	1,861	1,124	21	..	8
Davidson	2,328	201	1,216	1,150	37	64	..
Guilford	2,788	1,276	1,793	1,717	35	34	..
Moore	1,636	589	1,113	791	27	34	..
Stokes	1,328	416	989	560	25	34	..
Surry	1,318	244	1,007	508	23	108	..
New Hanover	2,643	4,113	2,027	2,914	23	..	29

From the same source from which we compiled the above table, and which we have said was equally open to the writer, we find that in 1868 Grant's majority in New Hanover was 1,678, and that in the late election Phillips' majority was only 887, a clear Conservative gain of 791 votes. This gain, with that of two members of the Legislature, we submit, should have been a sufficient justification of the Conservatives of New Hanover, and a full protection from the invidious comparison which the writer seeks to make between us and our gallant friends in Cumberland and Robeson—a comparison in instituting which, we are satisfied, he is not sustained by them.

It seems singular that a writer, who signs himself "Simple Justice," should compliment Cumberland with her 361 white registered majority, and Robeson with her 363 white registered majority, for electing three Conservatives in each to the Legislature, while he charges New Hanover with a want of fealty to the Conservative party, because with a *negro registered majority of fourteen hundred and seventy* she elects two Conservatives.

With this simple statement of facts we leave the case with an unprejudiced public.

It is asserted by those who have been there that Smithville is, this season, one of the most decidedly cool and pleasant places on the entire Atlantic coast. If it could only be made fashionable what a great watering place it would soon become, and how much better for our own people to enjoy themselves at home very greatly, for half the cost, than a very little, at double the cost, at some of the great Virginia Springs or Northern watering places.

Already have the members of the Board of County Commissioners elect been flooded with applications for appointment to positions in charge of either the Work House or Poor House, and in reply to these we are requested to state there will be no vacancies in either positions for some time yet to come. The Superintendency of each of these places is now under contract, that for the Poor House not expiring until February 1st, 1871, and that for the Work House having nearly two years to run, the latter contract having been entered into only last July. No bond has however, yet been given by Mr. Van Amringe, the Superintendent.

Southern Commercial Convention.—Mayor Martin has handed us a circular, received by him as Mayor of the city, from the Committee appointed to make arrangements for the assembling of the Southern Commercial Convention, the next annual session of which is to be held at Cincinnati, on Tuesday, the 4th of October next. It is desired to have a full representation from States, territories, cities, corporations, &c., and to this end the representation is limited to certain restrictions. Our city, at large, will be entitled to two representatives, each of our railroads to one, and the Navassa Guano Company, Chamber of Commerce, Cape Fear Fibre Company, Cape Fear Building Company, People's Steamboat Company and Cape Fear Steamboat Company, to one each.

The subjects to be considered are various, such as Direct Trade between Southern Atlantic cities and Europe; Southern Pacific Railroad; Continuous Water line Communication between the Mississippi River and the Atlantic Seaboard; Finance and Taxation; Fall trade in money; A Settled Policy in the Public interest in regard to the Disposition of the Government lands; The Charges on Passenger and Freight Traffic by Rail and Water lines; To abolish, throughout the whole country, all license imposed on commercial travellers; Removal of the National Capitol; Removal of obstructions from the mouth of the Mississippi River; Construction of permanent levees on the Mississippi River, and some others of much interest.

The above subjects have been already provided, but the deliberations of the Convention will not be confined to these, for it is stated that should any commercial body, or any delegate who may be appointed, desire to present a subject, other than those above enumerated, for the consideration of the Convention, it is respectfully requested, that a written paper, containing the substance of such subject, be forwarded to the Secretary of the Committee at least ten days prior to the assembling of the Convention, in order that such subjects may be placed upon the official programme of the business of the Convention.

We hope that our city will be represented, not only in its corporate capacity, but by delegates from some of the institutions that we have enumerated above. And we think it a good opportunity to bring forward, for the consideration of the Convention, the subject of the improvement of the Cape Fear River and Bar—which is a matter of vital interest to us all. There is now nearly a month in which to prepare the necessary statement, so that it can be in hand ten days prior to the assembling of the Convention, and we think it behooves some gentleman in this city, who is well informed upon the subject, to prepare this paper. Our mind naturally reverts to Mr. Henry Nutt, whose thorough and intimate acquaintance with all of the bearings of the subject, suggest him as the one most suitable for the task.

We hope that Mr. Nutt will pardon this public allusion to himself, for the sake of the subject that has called it forth, and that he may be induced to undertake the matter, and, perhaps, as one of the duly accredited delegates, to himself present it for the consideration of the Convention.

The Grand Tournament.—The Committee having in charge the Grand Tournament to take place on the Grounds of the Cape Fear Agricultural Association during the Fair, had a meeting on Tuesday evening and entered into the preparation of the rules and regulations by which the Knights are to be governed. These will be completed and published in a few days. We understand that they fixed the entrance fee for Knights at ten dollars, a sum sufficiently low when the value of the prizes are taken into consideration.

We learn from the Committee that the Tournament will be a grand affair. The number of Knights will be limited, but some plan will be adopted whereby all who apply before the lists are closed wil have an equal chance to ride. These and other particulars will be published as soon as they are agreed upon.

Grand Glorification at Point Caswell. We understand that the Conservatives of Point Caswell, in this county, have in contemplation a grand celebration on next Saturday, on the recent political victory in this State. The steamer Little Sam wil leave here on the morning of that day, and return the same afternoon, so as to accommodate those, from this city, who may desire to attend. Eminent speakers have been invited and a fine dinner will be given on the occasion.

We wish for our friends at the Point every possible enjoyment. They worked hard and zealously in aid of the great triumph and we hope that the success of the coming occasion may be fully proportionate.

Gen. Logan is said to be the rival smoker to President Grant.

In Milwaukee the Germans have had a "swimminfest."

Official Vote.

Our "Election Table" embraces the official vote of the State except from ten counties, from several of which we have heard the reported and official majorities. Judge Shipp's majority will be rather above than below eight thousand, being a gain of nearly or quite twenty-one thousand votes.

From the Raleigh Sentinel.

Judge Brooks' Court.

The lengthy evidence in the case of Mr. Wiley before Chief Justice Pearson aided by his Associate Justices, Dick and Settle, together with the proceedings of the demonstration, have forbid the publicatton for several days of anything pertaining to Judge Brooks' Court.

We have already stated that on Thursday last, the question of *contempt* on the part of Kirk, in his neglect to make a full and sufficient return to the writs of *habeas corpus*, issued by Judge Brooks for the delivery of all prisoners at Salisbury, was ably argued by Messrs. Baily and McCorkle for the respondent, Kirk, and by Messrs. Merrimon and Graham for the petitioners, before Judge Brooks in Chambers. The respondent plead that he intended no contempt, but his failure to comply grew out of the fact that he had been advised by counsel, that so far as the prisoners were concerned for whom writs had been issued by Chief Justice Pearson, that said writs were still in force and took precedence of Judge Brooks' writs, and, therefore, he (Kirk) felt compelled to deliver them to Judge Pearson. The *facts* in this case, which the public know, expose shameless trickery and partisan management on the part of the actors, but the record sustained Kirk. Hence, Judge Brooks decided, that confining himself to the simple question of contempt, the only point to be considered, and making no question as to the action of others, he did not think the charge of contempt could lay against G. W. Kirk.

On yesterday (Friday) before Judge Brooks, in Chambers, the motion for bench warrants against Col. G. W. Kirk, Lt. Col. Burgen, Major Yates and others of Kirk's command, restraining them from further outrages, was resumed and ably argued by Gov. Graham and Judge Merrimon, for the petitioners, and by Messrs. Bailey and McCorkle for the defence.

Judge Brooks was of opinion that he had a clear right to issue the warrants. He granted the warrant for Burgen and required him to give bond and ample security for $5000. In the cases of Kirk and others he was disposed to suspend judgment, and the continuance of the suspension would depend entirely upon the future conduct of Kirk and others. If their outrages were repeated the warrants would issue.

Judge Brooks having disposed of the cases before him and on opening the adjourned District Court for hearing equity cases finding counsel not ready, he adjourned the Court. He left the city for his home on last night, with the good wishes of all lovers of law and civil liberty.

For the Journal,

Public Roads.

Messrs. Editors:—I wish to call the attention of the County Commissioners to the condition of the public roads of New Hanover county. The roads are in a most desperate condition. There is no work done on them. Go in what direction you please, you find the roads in bad order. Why, sir, I traveled over a road a few days since, that I do not think has been worked on in ten years. There are mud holes in it that were there ten years ago. Some say there is no law to make hands work on the roads. If there is any you will oblige many of your readers to publish it. There is certainly a screw loose somewhere, and if it is not found and tightened down pretty soon, the people will have to quit traveling on the public highways.

Justice.

Aug. 19, 1870.

Distances in France.

The following table of the distances of the numerous towns and cities of France from Paris, will be of interest:

	Miles.		Miles.
Strasburg	312	Chauvency	197
Rheims	99	Fontoy	235
Thionville	244	Seedan	170
Nancy	220	Hayange	240
Bar-le-Due	125	Bazeilles	174
Chalons	107	Pierrepont	220
Epernay	88	Vezin	209
Vitry le Vielle	117	Carignan	184
Meux	28	Doucery	168
Soissons	65	Bondy	6
Toul	199	Esbly	23
Vitry le Francois	128	Le Rainey	8
Charleville	161	Lagny-Thorigny	17
Longuyon	214	Challes	11
Montmedy	201	Noisy-le-Sec	5
Gretz	24	Chalmoison	58
Longueville	55	Gray	218
Flomboin	59	Montereau	76
Herme	6	Lagni	87
Troyes	103	Rethel	123
Chaumont	162	Villers	48
Mulhouse	394	Bazancourt	109
Altkirch	294	Paix	143
Pelfont	274	Mahon	150
Port d' Atelier	223	Nonzon	158
Champagne	265	Longpont	55
Jussey	215	Ormoy	34
Chalindrey	191	Le Chatelet	116
Vesone	236	Berzy	62
Bar-sur-Aube	137	Vitry-les-Rheims	99

With this table of distances before them readers can determine to a great extent for themselves the whereabouts of the opposing forces and detachments, as their movements are chronicled from day to day by foreign dispatches. The distances are not as the bird flies, but generally represent the intervening railroad space between Paris and the various places named.

Augustus Hemenway and David Sears are the heaviest taxpayers in Boston, being assessed respectively this year $2,653,000 and $2,243,000.

From the Raleigh Sentinel.

Bench Warrant Cases Before Judge Pearson.

(THE STATE VS. F. A. WILEY.)

SEVENTH DAY.

Thursday Morning, Aug 25.

Court sat at 9 o'clock.

Thomas Kimbrough called and examined. Was in Yanceyville on the afternoon of May 21st; live 5 or 6 miles from town; saw Mr. Wiley get a "keeler" from Henderson's store and water his horse at the pump; was some 25 yards off; saw him get in his buggy and drive off towards home; this was about 5 o'clock in the afternoon, or a little after. Just as I was starting home, saw Stephens passing opposite the Court House gate, going toward the east unil he reached the corner of the Court House fence where he turned south as if going in the direction of Mr. Corbitt's.—My brother was with me. We talked of seeing him as we went home, don't recollect how we came to speak of it; don't recollect speaking of it to any one else till after the inquest. Heard of the death of Stephens, about 4 o'clock on Sunday afternoon, from a colored man named Jerry Oliver. After Mr. Wiley was arrested I spoke with Mr. Norfleet about seeing Stephens. It was late when I started home on Saturday evening, had walked but about a mile and a half when the sun went down.

CROSS EXAMINED.

Don't recollect exactly how long after seeing Stephens before I and my brother started home; we were together at Henderson's store when Stephens passed.—There was nothing particular that made me notice him or recollect him; I and my brother spoke of it; one or the other of us said he was probably going to the meeting at the school house; there were a good many people stirring about, black and white, don't remember any particular names—think I saw Mr. Bowe, (Wm.) thinks he was near Henderson's store—think I saw a tall negro some few steps off—he was going on east, both turned and got out of my sight—Bowe was 30 or 40 yards from Stephens—I was about same distance—don't recollect when I spoke of the matter first to brother—and then spoke of it again after Wiley's arrest—don't recollect to whom nor at what time next I spoke of it—think I told Monroe Kimbrough, colored, in the tobacco ground—don't recollect how long, whether it was days or weeks—(Rigmarole about tobacco) thinks it was before Kirk came—told it to Green Atkins about the same time—he one side I the other, he was attending to his tobacco, we join—told Norfleet of it at the Court House—this was after Kirk came. Was summoned last Saturday evening or Sunday. Had not drank any that day—don't know if brother had. Saw Stephens that day sitting in the Court House.

RE-DIRECT.

I started but a very short time after seeing Stephens, I was about starting when I saw him. He turned round South towards Corbett's—there is a pathway in that direction to the school house, through Poteet's lot, by Withers', this is the nearest way.

When I first saw Bowe he was standing on the Square, he then went into Norfleet's store, about ten steps from where I was. Monroe Kimbrough and Green Atkins are both colored; only a fence divides the tobacco fields. I was afraid to talk about the matter after Kirk came, because he was arresting so many.

The testimony for the defense here closed for the present and that for the prosecution resumed.

Calvin Miles, colored, examined. Live near Yanceyville; when I went to get the wood for Mr. Norfleet, the key to the room was given to me by Mr. Roan, the Clerk. After getting the wood in the morning, hung the key up in the room; in the evening handed it to Mr. Roan; didn't go into the Commissioners' room; was charged not to leave the door open. (The rest of this testimony related to where witness was working and his seeing no one about the Court House at 6 o'clock.)

CROSS-EXAMINED.

Got the key and got the wood during the wet spell in April; carried two turns in the morning and one in the evening; there was nobody with me; didn't see John Poteet about there, he was not with me after the wood. I didn't say last Saturday, that he was with me; was examined at the inquest; didn't say to Major Graves, nor where he could hear me, that John Poteet was with me. Had drank but one small dram that morning; drank some afterwards. Saw Capt. Withers in his room when I went after the wood; went in and out at the front way.

Mrs. Fannie Stephens examined: Am widow to the deceased; on the day of the meeting he left home about 2 o'clock, and said he would return after Mr. Brown's speech, which would be by 4 o'clock. As he didn't come, I became uneasy and sent a small colored boy to look for him; he could not find him and then sent a hired colored man; he came back without finding him, and I sent him back. He was to have been at home to attend to some business; and I was uneasy at his not coming, because his life had been threatened. After the colored man, Fred Graves had been sent the second time to look for him, Henry Stephens came about twilight, just getting dark, and I sent him also. Mr. Hemphill was there about sunset and I had got him to go and look for Mr. Stephens.—Mr. Hemphill came back about one o'clock and stayed till after daylight—I didn't see him; I was having spasms all the time; I heard his voice and knew it. I reckon Mr. Stephens was afraid of being attacked; of course he was in dread.

CROSS-EXAMINED.

Last saw Mr. Stephens at 2 o'clock as he left to go up town; he put on his pistols as usual; didn't say anything of them or why he put them on. Knew that Hemphill was there because I heard his voice talking to my husband's sister, and some other girls that were there. Hemphill came first about 4 o'clock, then went up town and came back about sunset, when I sent him to look for my husband.

Joseph Womack was recalled, but objection was made and he was not examined.

George Bowe called and examined.—Was in the meeting at Yanceyville, and was there that night; saw Stephens before and after dinner; saw Hunt talking to him; after the adjournment went to the schoolhouse and returned about sunset; saw the boy looking for him; went to Yancey Jones'; about an hour in the night Fred Graves came there and said he had not been found; went to the Court House and assisted in the search; heard Henry Stephens say why the keys could not be found; they believed he was somewhere in the Court House and the guards were placed around it. Witness didn't see Stephens at the school-house.

CROSS-EXAMINED.

There is a near cut through towards Corbett's to Stephens' house; and also in the same direction by the old hotel to the school-house; a walking way.

Dolly Lawson examined. Lives in Yanceyville, near the Court House, on the east side; not more than 50 feet off; right opposite the Clerk and Master's room. On the afternoon of the meeting Stephens passed from towards Corbett's towards the front of the Court House. Some compliments passed between witness and Stephens. Saw him soon after at the window of the grand jury room where tax lists were taken, leaning on the end of his cane. After a while he left and witness saw him no more.

CROSS-EXAMINED.

Heard the speaking in the Court House; missed Stephens from the window while Mr. Kerr was speaking; didn't see him at the window late in the afternoon, it was soon after they went in.

—

Thursday Evening, Aug. 25,

Testimony for the prosecution continued.

Calvin Bigelow, colored, examined.—Was examined before the inquest. Was in the meeting on the afternoon, May 21st; saw Wiley get up and touch Stephens and both go out together. This was when Mr. Brown was speaking; soon followed them down, and on arriving at the bottom of the stairs, saw them go down the passage and go into a room on the left.—Don't know which door it was, whether it was the end door or the middle door; I was going out toward the gate and happened to turn my head and saw them.—There was no one else in the passage when I saw them; Mr. Bedford Brown was speaking when they left; when I left Mr. Kerr was speaking.

CROSS-EXAMINED.

Mr. Bedford Brown was speaking when Wiley and Stephens went out; I heard Dr. Roan say something about the colored people having the Court House; Mr. Kerr spoke after Mr. Brown; I went out after Mr. Kerr was done speaking. Wiley and Stephens went out while Mr. Brown was speaking and I went after Mr. Kerr spoke. I was before the jury of inquest; didn't say I was obliged to stay in Mr. Hill's room for fear of the colored people doing something to me. I stayed in Mr. Hill's office before I was examined; he told me to stay there till I was called for. Len Lea, William Lea and Amos Bigelow were with me in the Court House. I went down first and they followed; I went straight on home because I had my horse to feed.—Don't know exactly where Stephens sat in the Court House; I was by the door and he was on the other end of the bench; he was right before me on my right hand; he had a newspaper in his hand and was reading it. I might have said I heard Dr. Roan say something about the colored people having the Court House, don't recollect; don't know whether I said so awhile ago or not; I might. Don't know if I said before the inquest that I went out while Hill was speaking, I might have said so; it has been so long I can't recollect; think I went out when Mr. Kerr was speaking. Mr. Kerr said the colored people could have the Court House, said they could have it that evening. The colored people were going to have a meeting at the academy. I did not see Wiley after he turned down the passage.

Question—Did'nt you say before that you saw Wiley afterward out on the square.

Answer—Don't think I said so, might have said it, don't recollect; I did see him before Mitchell's before I gave in my taxes; don't think I said I saw him afterward, but I might have said it; I did'nt say I saw them go into the room where the body was found; don't think I said before, that I did'nt see them go into a room; might have said it, don't recollect; I might have sworn before that we all went down while Hill was speaking. I did'nt tell before all I have told here, was'nt questioned so much. The Sunday after the murder I told Isaiah Graves that I saw them go down together, but he said I did'nt tell him that about their going into the room; he said that Monday.

Question—Did'nt you deny before the inquest that you saw them go into the room—did'nt Daniel Johnson ask you the question and did'nt you deny it?

Answer—I might have denied it; won't say I did'nt; it has been so long I can't remember, but don't think anybody asked me the question.

(Witness then explained about his being summoned and how he got here.)

Resumed. I just turned my head as I went out, saw them turn the corner into the passage as I saw them; did'nt look back any more; they were about 15 feet from me, think Kerr was speaking when I went down.

RE-DIRECT.

I told Humphrey Lea, on Sunday, about seeing them go into the room; didn't tell any one else; didn't tell the lawyers, only Mr. Hill; he didn't ask me about seeing them go into the room.

BY THE COURT.

I was afraid about that time; was afraid of the colored people and whites too; am easy to scare; was not afraid of the Ku-Klux.

Humphrey Lee examined. I heard Calvin talking to Mr. Graves on Sunday, heard him say to Mr. Graves that he saw Wiley and Stephens go down and go into a room; heard Graves say something in return but don't know what it was.

CROSS-EXAMINED.

Q. Calvin said here just now that he didn't tell Graves about seeing Wiley and Stephens go into a room.

Witness. He did tell Graves so, I heard him, I asked him after Graves was gone what it was he said and he told me the same words.

Thomas Stephens sworn and examined. Am brother to the deceased; was in the Court room in the afternoon of the day of the meeting; after the close of the meeting went to my tobacco field 300 yards off and while there heard the town clock strike five. Went back up to Groom's tailor shop and while there a boy that lived with deceased came and asked me if I had seen him. The sun was then a half hour or three quarters high. Stayed at the Court House that night till 2 o'clock and then went to the house of the deceased and stayed there till after day.

CROSS EXAMINED.

Groom's shop is on the street about 50 yards from the Court House; the boy went towards Mitchell's after he told me of John being missing. I went home about dusk, and while eating supper Henry came and we went together to the public square; went round the Court House to Neal's store and made enquiries; it was then near 9 o'clock and before the guard was placed around the Court House. Was with those who searched the Court House; saw them look in at the window, the box was brought from opposite the grand jury room; think they looked in at both windows; stayed till 2 o'clock, saw no one in the Court House, Hemphill was with me and Henry till 2 o'clock, when I left; don't know what Hemphill did after that.

Jerry Graves or Poteet examined. Went with Calvin Miles after wood to the Clerk and Master's room in April last; we both got turns of wood and came out; don't know whether he locked the door or not, carried the wood to the store; didn't hear anything said about the key. This was in the afternoon, about three weeks before Stephens' death. When Calvin testified before the inquest and said that no one went with him after wood, I told him he had forgot, that I was with him. He said he was talking about another time, but when we went over to the shoe shop where there were a number of colored people, he denied that I was with him. We took the wood from near the middle of the pile; there was a right smart gap in the pile of wood where we took it from.

FOR THE DEFENSE.

Col. R. B. Watt recalled. Was present during the entire sitting of the jury of inquest on the body of Stephens; heard Calvin Bigelow's testimony; he was questioned about seeing Wiley and Stephens going into the room and denied most postively. The question was repeated and pressed by Daniel Johnston, or one of the colored jurors, and again denied it. He was asked if he had not said he saw six men carry Stephens into the room and answered he had not; then he was asked again if he had not said he saw Wiley and Stephens go into the room; answered he had not; then asked if he did not see them and answered he did not. The question was varied, and he finally said he had not seen them go into the room and would not swear to a lie for nobody. It seemed the colored people had expected him to testify to the fact, and he was in apprehension from them if he did not. He then declared that he did not see Wiley and Stephens after they left the Court House.—Kerr made only a few remarks in announcing the nominations; Hill spoke and then Dr. Roan announced that the colored people should have the Court House next Saturday, and Mr. Kerr confirmed it.—It was about half an hour from the close of Mr. Brown's speech to the adjournment.

Col. E. B. Withers recalled. Heard Calvin Bigelow's evidence before the inquest, heard him positively deny seeing Wiley and Stephens go into a room; denied also that he had ever said he saw them go in there, and said he could prove by Graves that he had told him no such thing. Graves was examined at the inquest and confirmed the statement so far as it related to his having told him so.

There were other witnesses for the prosecution, but they were not called, and the evidence here closed on both sides.

The Court then adjourned to 9 o'clock to-morrow morning.

LATEST NEWS

BY TELEGRAPH.

WAR IN EUROPE!

PARIS, Aug. 29.

The Bois de Boulogne is filled with cattle.

The "Moniteur" says that six days will be eded for the Prussians to reach Paris. Per- ps their scouts will arrive sooner. We shall ready.

The "Opinion Nationale" says that Palikao ust have entire authority during the crisis, d again demands the expulsion of all Ger- ans from Paris.

The Minister of War announces that, with the serve weapons, he can arm an immense Na- nal Guard in addition to those already under ms.

The Minister of Commerce and Agriculture wonderfully active. He has collected a quar- r of a million quintals [a quintal is 112 lbs.— .] of flour and rice, and fresh vegetables in oportion. Forage is abundant and munitions war plentiful.

Preparations for defence continue.

All the French palaces are appropriated for spitals.

Russia and England are strongly opposed to rench dismemberment.

Paris is calm and patriotic.

Americans are rapidly leaving Paris.

A Republican conspiracy has been discovered South Germany.

The official news is that the Prince Royal's my is going towards Suippe.

A fight occurred at Lisbon between French and erman citizens. A great many were killed.

Prince Napoleon had a long interview with e Austrian Ambassador while at Florence.

The Germans have spread throughout Aube, d have abandoned their camps. They are oving towards Sommecy.

Twenty-five thousand recently passed Joinville ing towards Massy and Mautiernder.

The enemy are advancing toward Bethel from e direction of Mont Faucon, Grand Pre and oip au Bois.

Twenty thousand cavalry have passed Chalons ing towards Epernay.

Strasburg and Pfalsburg still hold out.

LONDON, Aug. 29.

It is rumored that the French Ambassadors ave asked the great powers to guarantee the rench dynasty.

The Times' military articles are attributed to en'l Burgoyne.

A French frigate is cruising in St. George's hannel.

The Parisaians affect the belief that the Prussians will be taken between two fires and xterminated.

Bismarck's personal train is nearly as heavy as ing William's.

The Times says that Paris must and will be aved, but the removal of the seat of Govern- ent is indispensable, owing to the predominance f vile passions, irrecon ciliable with public order nd military movements.

The Times questions McMahon's tactics on oving north east, and thinks that he might at east have threatened the advancing Prussian olumns.

M Thiers asserted, at a meeting of the Commit- ee of Defense, that the Prussians would never each Paris without a complete victory over the rench army, and even then they won't stay ong.

The Irish war fever is intense. The fund for he wounded rapidly accumulates.

Trochu orders all unnaturalized citizens and nemies to the country from Paris within three ays. They must leave France or go behind the oire.

A telegram special to the London Dispatch, rom Montmedy, reports that a great and bloody attle commenced on Sunday evening at Mont- aucon. The battle was undecided.

Sixty thousand troops, in excellent order and ine spirits, passed Soissons to reinforce McMa- hon.

MADRID, August 29.

The Regent and Ministry are consulting. A oup d'etat is daily expected.

PARIS, Aug. 30,

Much confusion has been caused by the de- parture of a large number of Germans. The ournals say that this will rid Paris of many ene- mies. La Liberte says: The hour for a great battle has arrived. The battle must occar in he Valley of Argonne; perhaps from there to Metz. We have reason to believe that the battle s raging now. If the Prussians are repulsed hey must retire behind the Moselle. France very moment grows more formidable. Even ow new regiments are ready to take the field. Defeat cannot subdue us.

The Opinian Nationale says: War to the last! Let not one German recross the Rhine. For cen- uries let Germany remember that an enemy may nter but cannot leave France.

La Patrie says that military events of the ut- most importance are progressing. Whatever may be the result at Paris, France must redouble her energy, and create a third and fourth army. The Germans are active. We must use all of our efforts. The news from McMahon's army continues excellent. McMahon has never for one moment been deceived about the Prince Roy- al's movements. It is understood that the Prince intended to overreach his army; therefore he has kept in advance. Parisians must not, how- ever, cease preparing to repulse the enemy.

The Prince Imperial has gone to Mezieres, where he will remain until further orders. Mezieres is considered impregnable. It contains a strong garrison and ample supplies.

The London papers are befogged regarding the position of the armies. The latest telegrams made "confusion worse confounded."

LONDON, Aug. 30.

Every German arrested appeals to American Minister Washburn for examination.

No American has yet been arrested.

The Prussians entered Vouziers on the heels of the retreating French.

King Willim's route to Paris is by the upper Marne and Meuse.

The Prince Imperial was at Sedan Sunday night, where the Emperor is expected. The Uhlans, at that time, were only 9 miles to the South.

A French frigate repaired her engines at Tes- wick, Scotland. She was notified by the Gov- ernment to leave.

Parisians of all ranks are enrolled for defence.

[Special to the New York Telegram.]

LONDON, Aug. 30.

We have advices from Sedan to-day. There is fighting along the railroad between the advance of the German and French armies. On the 28th, the Saxons held Steinay and Mouzon. The cor- respondent says that not only has McMahon fail- ed to join Bazaine, but the Prussians are wedged between them. McMahon is separated from Ba- zaine by two powerful armies.

A regiment of the Chasseurs D' Afrique routed two regiments of Saxon dragoons near Mouzon.

It is believed here that McMahon will perse- vere in the effort to reach Metz in spite of the obstacles in his way.

THE WAR.

A GREAT BATTLE!

McMAHON DEFEATED—IMMENSE SPOILS!

BOUGANCY April 30—Via London.

The Prussians attacked McMahon's army to- day, near Beaumont, defeated it, and drove it back upon the Belgian frontier. The French camp fell into the hands of the Prussians. The pursuit of the French continued for several miles, but was interrupted by the number of cannon and provisions taken. The extent of the battle- field is so vast that it is impossible to obtain fur- ther details at this moment.

PARIS, Aug. 31.

The Ministers of the Interior, and of Agricul- ture and Commerce, officially visited the ware- houses.

A committee of defence has been formed at Havre.

A late Turin journal says that Prince Napoleon is residing there.

The French clergy are moving actively in the defence.

A scarcity of water, for a few days, is appre- hended in case it becomes necessary to fill the Paris moat.

St. Cyr is empty; the pupils are in the army.

La Payo says that the nephew of Bismarck, who recently wanted to raise a legion of Han- ovians, has been arrested as a spy.

VARENNES, Aug. 31.

Official: The advance of the Twelfth Prussian Army Corps and a portion of the Fifth French Army Corps were engaged near Nouart. No de- tails.

The railway between Mezieres and Thionville has been destroyed at two points by the Prus- sians.

The London Times says that McMahon is at- tempting a retreat upon Soissons, he having failed to relieve Bazaine.

The mails are carried only between Paris and London.

LONDON, Aug. 31.

There is great excitement in the French de- partments regarding the alleged sympathy of the Protestants with the Prussians.

Sportsmen, jockies, horses and school girls are arriving in great numbers from France.

Troops have been leaving Paris, all day, for the North.

The Emperor is reported ill at Sedan.

The Prussians will find McMahon very strong. The Prussians only stopped a small detachment of the reinforcements sent him.

McMahon perseveres in the attempt to attack the beseigers at Metz. Strasburg will probably capitulate within three days. The fortifications are manned daily to accustom the soldiers to the situations. Thirty thousand sick and wounded have returned from the front.

Four hundred French Arabs who had been cap- tured and taken to Germany, escaped and re- turned to France.

Telegrams from Paris are exultant, claiming that the Crown Prince is 36 hours behind the cal- culation of the Prussian staff, and can't arrive in time to effect a junction with Frederick Charles.

PARIS, Aug. 31.

Versailles, though an open town, is organizing for defence.

The Moniteur says that many of the Prussians who have been expelled, were actually plotting against France. Prussian uniforms were found in the houses of suspected persons.

The expelled Germans have given false reports of hardships.

The Moniteur is authorized to contradict the statement regarding armed ships leaving American ports in the Prussian interest.

The battle between Dun and Stenay is without important results.

BERLIN, Aug. 31.

A meeting of notables has adopted an address to the King, protesting against the intervention of Germany. They are willing to confide all to William in establishing a peace not again to be wantonly broken.

Alabama State Democratic Convention.

MONTGOMERY, Aug. 31.

The city is crowded with delegates to the Democratic State Convention, which meets here to-morrow.

About 100 bales of new crop cotton have been received here.

From the Raleigh Standard

State vs. F. A. Wiley and others—Decision of Chief Justice Pearson.

MONDAY, Aug. 29, 1870.

The Court met at 9 o'clock, with Chief Justice Pearson and Associate Justices Dick and Settle on the Bench.

His Honor then read the following decision in the case of State vs. F. A. Wiley, J. T. Mitchell and Felix Roan:

After a careful consideration of the evidence, we are of opinion that "probable cause" has been shown.

On a charge of capital felony the rule is—"when the guilt is manifest, or the presumption strong, the party should be committed to jail; when the evidence does not produce entire con- viction, but makes in the mind a belief of the party's guilt, security to answer the charge should be required.

It is considered that the prisoners be severally recognized in the sum of $5,000, with two or more sufficient securities, to appear at the next term of the Superior Court to be held for the county of Caswell, to answer a charge of the murder of Jno. W. Stephens, Wiley and Mitchell as principals, and Roan as accessory before the fact.

In this stage of the proceeding it would not be proper to enter into a critical analysis of the evidence, but it seems to us to be proper to set out, in a general way, the grounds on which our conclusion rests—

1. Strange as it is, the fact is fixed, that on the 21st of May, 1870, when a large number of the citizens of Caswell were assembled in the Court House, at a meeting of the Democratic party, and in the day time the Senator of that county, a Republican, was choked down to death, by means of a cord about nine feet long, with a slip- ping noose adjusted near the middle.

The intelligent testimony of Dr. Roan fixes the fact that the murder was done in the room (formerly occupied by the Clerk and Master in Equity), where the body was found on the next morning, with "the cord" buried in the neck to the level of the skin, a stab on each side of the neck, and a stab in the breast. Dr. Roan gave it as his opinion, be- ing an expert, that the stabs were made after the blood had near all receded to the heart, (which accounted for the small effusion of blood); and further, that the choking was done *in that room*, for the reason that the cord had not slipped from its first print, where it was im- bedded in the flesh, and the slight spirts of blood on the wood in front and the wall at the side of the body, could not have made the im- pression it did, except as it jetted from the wounds, so the *corpus delicti* and the place is fixed.

2. *As to the time*, we are satisfied that the murder was committed while the meeting was going on up stairs, the deceased having left the meeting and come down at the instance of Wiley. *After the meeting adjourned*, (about ½ after 4,) and until the Assessor locked his door, about 6 o'clock, (this room adjoins the room where the murder was done,) a number of persons were in his room and in the passage; so the mur- der could not have been committed dur- ing that period without a general alarm. *The testimony* that the deceased was seen after six o'clock, in the public square, walking to the east, turning the corner of the railing and then going south—is unsatisfactory. There is no trace of his ever coming back to the courthouse or no evidence tending to show that he might have been killed outside, and his body brought and put in that room; by half an hour of sunset, his brothers and friends were looking for him and after nightfall "a guard" was set around the courthouse.

3. *As to the persons*, the testimony makes out probable cause, and would be sufficient to require commitment, provided the witnesses are to be relied on; that is a question peculiarly fit for a jury—how much reliance can be put in the testi- mony of reluctant white witnesses and of per- sons who have been slaves and are now citizens? This is a practical question and the learning of the law does not aid much in its solution.

So that our duty is discharged by requiring bail.

No motive is assigned for this murder except "political animosity." The circumstances show it was done on premeditation with fatal skill, and by a number of conspirators (either taking part in the killing, or else keeping watch and being on the lookout) to whom the unsuspecting victim was led up for sacrifice.

Possibly at the trial, further light may be thrown upon a deed, which now leaves a foul mark on the reputation of the county of Caswell.

PEARSON,
SETTLE,
DICK,
Justices.

His Honor directed Mr. Bagley the clerk, to send copy of decision with the State warrants to the Clerk of Superior Court of Caswell county.

Messrs. J. R. Winston, E. B. Withers, R. B. Watt, of Caswell, and H. O. Parker, B. F. Will- iamson and G. T. Stronarch, of Wake, came for- ward and qualified as securities for the appear- ance of Messrs. Wiley, Roan and Mitchell, at the next term of the Superior Court of Caswell county.

Mr. Badger objected to counsel going security, but his Honor decided that there was no law prohibiting counsel from acting as bondsmen.

STATE NEWS.

COL. CARROW, U. S. Marshal, is quite ill with bilious fever.

FOUR marriages in Charlotte last Thurs- day.

ACCORDING to law, the Council of State will meet in the Executive office on Thurs- day next for the purpose of comparing the vote for Attorney General.

THREE persons from North Carolina were arrested at Wytheville, Va., on Monday, by the U. S. Marshal, for selling tobacco with counterfeit stamps upon it.

AN attempt was made by incendiaries, to fire the residence of Mr. Joseph A. Bell of Newbern, on Saturday night. By strenous efforts the property was saved, but in a badly damaged condition.

Hon. Sam'l P. Hill, after being held a prisoner for six weeks, charged with the murder of Stephens and of conspiracy against the State government, was dis- charged on Saturday last, because there was no evidence against him! Another outraged citizen, Mr. Fowler, has also been disharged.

THE Norfolk *Virginian* says: Judge G. W. Brooks, of North Carolina, the incor- ruptible Judge through whose uprightness and decision of character the machinations of Holden, Kirk & Co., were thwarted, ar- rived in the city on Saturday by the Sea- board and Roanoke railroad, and is the guest of the Atlantic House.

WE are pleased to learn that Colonels Wm. Johnston, President, and R. F. Simonton, Esq., one of the Directors, who have just returned from New York, have effected arrangements to purchase two lo- comotives, and iron enough for seven miles of the Atlantic, Tennessee & Ohio Road. The balance of the iron necessary to com- plete the road, will be purchased in Eng- land. It is designed to begin on both ends of the road.—Statesville *American*.

THE MORGANTON RAILROAD.—A meeting was held at Morganton, N. C., on the 18th instant, in the interest of the Morganton and South Carolina Railroad. Several earnest speeches by gentlemen from vari- ous counties were made in support of the enterprise, much enthusiasm was manifest- ed, and a committee was appointed to solicit subscriptions. It was also resolved that a meeting of the friends of the road be held at Columbia, S. C., on the first Monday in November, delegates to which were appointed from several counties of North Carolina.—Yorkville *Enquirer*.

BEFORE JUDGE PEARSON.—The investi- gation of Mr. Wiley's case terminated on yesterday after it had been argued very ably on the part of the prosecution by Messrs. Badger and Boyden and by Mess- rs. R. H. Battle, Jr., and Gov. Bragg for the defence. Judge Pearson withholds his decision for the present.

To-day, the case of Mr. Felix Roan, charged with complicity in the murder of Stepens and with conspiracy against the State, was taken up.—*Sentinel.*

COUNSEL FOR THE PRISONERS.—The peo- ple of the State, as well as the prisoners of Kirk, owe the counsel for the prisoners a debt of gratitude which never can be re- paid. Night and day for weeks have Messrs. W. H. Battle, Bragg, Merrimon, W A Graham, K. P. & R. H. Battle, Jr., R. B. Watt, E. B. Withers and J. R. Winston patiently and untiringly devoted them- selves to the interests of justice and civil liberty in the defence of the prisoners.—Much is said of the triumph of *habeas corpus*, and of the patriotic conduct of Judge Brooks, but it is to the earnest, able and untiring efforts of these gentlemen, that this noble triumph has been secured. *Sentinel.*

MEETING OF THE NORTH CAROLINIANS.—A meeting of former citizens of North Car- olina, residing in Baltimore, was held last night at the Maltby House. Mr. Bartlett Johnson was called to the chair, Mr. B. F. Best appointed secretary, and Capt. W. C. Coughenour treasurer. Mr. Johnson stated that the object of the meeting was to man- ifest their high appreciation of Hon. Jo- siah Turner, editor of the Raleigh (N. C.) Sentinel, for his manly de- fense of the right, and his firm and un- wavering opposition to Gov. Holden's military tyranny, by presenting him with an elegant gold-headed cane. Messrs. Collins, Hawkins, P. A. Tatem, H. H. Martindale, M. J. Nalley and Bartlett Johnson, a committee appointed for the purpose, reported resolutions compliment- ary to Mr. Turner, and copies of letters addressed to Mr. Turner and Judge Brooks commending their course, which were adopted. A subscription was promptly collected to purchase a cane, and a com- mittee appointed to present it. A resolu- tion of thanks to Col. Hogan, of the Malt- by House, for the use of the room, was passed, and the meeting adjourned.—Bal- timore *Sun.*

JUDGE KERR'S CANE.—When Judge Kerr was arrested by the Rev. Major Yates, he had a cane in his hand. It was valued not for its gold mounting but as a present from his long since departed venerated father. The Judge and the cane are so identified with each other that the one seems lost without the other.

If the pious robber will return the cane, we will pay him ten dollars for his magna- nimity!—Raleigh *Sentinel.*

WE are told that while Kirk was arrest- ing the innocent, respectable citizens of Caswell, a man of good standing in that county went to Kirk and told him that a certain man, naming him, had told him that he was within three feet of Stephens when he was killed—that this man had made other statements to another man, going to show that this man was a party to the death of Stephens. That man is a Radical, and Kirk and Holden have re- fused to arrest him to this day.

Raleigh *Sentinel.*

HECTORING.—As Mr. Thomas B. Terrell, an engineer on the Raleigh and Gaston Railroad, one of the most quiet and in- offensive men in the State, was passing through the Capitol Square on Sunday, going for a physician to his sick child, he passed at the North gate, four of Holden's State Troop officers. Just as he was op- posite them, he heard one of them ex- claim, excitedly, "damn them, they ought all to be hung." He turned his face to- ward the group, still passing on, when one of them said in the most menacing and hectoring tone and manner, "go on, G—d d—n you, don't look at me." (These were some of Holden's *lambs.*)

Raleigh *Sentinel.*

JUDGE PEARSON has seen fit to decline the appointment of Code Commissioner, recently tendered him by Gov. Holden, on the resignation of V. C. Barringer, Esq. His reasons for the decelnsion, as given, are well illustrated in the following paragraph, taken from his letter. He says: "I am fully convinced that the idea of re- ducing 'the common law,' or the *lex non scripta*, as it is termed, into the form of statute law is impracticable, and the at- tempt, besides the expense, will be worse than useless."

New York Market.

NEW YORK, Sept. 1—Noon.

Stocks active. Money 4 to 5 ₱ cent. premium. Gold 116¼. Sterling Exchange—long, 109⅞; short, 110¼. Five-twenties of '62 112⅞.

Flour dull and heavy. Wheat 1 to 2 cents lower. Corn heavy. Mess Pork $27 87½. Lard steady. Cotton quiet and steady—Uplands 19⅞ cents; Orleans 20¾ cents; sales of 300 bales. Spirits Turpentine 39½ to 40 cents. Rosin quiet. Freights unchanged.

Wilmington Wholesale Prices Current.

BEESWAX, ℔	30	@	31	LIME, ₱ bbl.	0 00	@	0 00
BARRELS, Sp'ts T., each.				From store	0 00	@	1 35
2nd hand	2 25	@	2 75	MOLASSES, ₱ gallon.			
New	2 75	@	3 00	Cuba, hhds.	38	@	42
CANDLES, ₱ lb.,				do bbls.	43	@	45
Tallow	18	@	20	Sugar house	25	@	27
Adamantine	18	@	20	do bbls.	28	@	30
Sperm	50	@	55	Syrup, bbls.	50	@	1 00
COFFEE, ₱ lb.,				NAVAL STORES,			
Java	30	@	35	Turpentine ₱ 280 lbs.			
Laguayra	23	@	26	Virgin new	0 00	@	2 25
Rio	18	@	20	Yellow dip	0 00	@	2 25
St. Domingo	25	@	28	Hard	0 00	@	1 20
COTTON, ₱ lb.,				Tar, ₱ bbl.	0 00	@	2 00
Ord. to Mid'g	14	@	16	Tar, in ordi	0 00	@	2 10
Strict Mid'g	00	@	17	Pitch, City	0 00	@	2 25
COTTON BAGGING,				Rosin, pale	4 25	@	5 00
Gunny, ₱ yd	31	@	35	do No. 1	2 50	@	3 50
Dundee	00	@	30	do No. 2	1 55	@	1 80
Flax	28	@	30	do No. 3	0 00	@	1 50
Double Anc'r	32	@	33	Spirits Turpentine,			
Rope, ₱ lb	7	@	10	₱ gal	35	@	36
CORN MEAL,				NAILS, ₱ lb.,			
₱ bushel	1 35	@	1 40	Cut	5 25	@	5 50
DOMESTICS,				OILS, ₱ gallon,			
Sheeting,				Sperm	0 00	@	3 00
₱ yard	12	@	16	Linseed	1 40	@	1 50
YARN, ₱ 5 lb	1 60	@	1 75	Machinery	1 75	@	2 00
FEATHERS,				Kerosene	40	@	42½
₱ lb	65	@	75	PEA NUTS,	2 25	@	2 65
FISH, ₱ bbl.,				POTATOES,			
Mackerel,				Sweet, bush	1 50	@	2 00
No. 1	28 00	@	30 00	Irish, ₱ bbl	2 50	@	3 00
No. 2	00 00	@	00 00	PROVISIONS, ₱ lb.,			
No. 3	00 00	@	00 00	N. C. Bacon,			
Mullets	6 50	@	10 00	Hams	21	@	22
Herring,				Middlings	18½	@	19
East	8 00	@	9 00	Shoulders	17½	@	18
N.C.roe	9 00	@	12 50	Hog round	18	@	19
do cut,	8 00	@	10 00	Western Bacon			
do gross,	7 00	@	8 00	(Smoked).			
Dry Cod, ₱ lb	9	@	10	Hams	19	@	24
FLOUR, ₱ bbl., Northern				Middlings	19½	@	20
Family	8 50	@	10 25	Shoulders	17½	@	18
Superfine	6 75	@	7 00	(Dry Salted.)			
Fine	6 00	@	6 25	Middlings	18	@	19
Ex. Super	7 00	@	7 25	Shoulders	16	@	16½
NORTH CAROLINA,				Lard, N. C	19	@	20
Family	8 00	@	8 50	do North'n	16	@	20
Superfine	7 00	@	7 25	Butter, N. C	00	@	30
GLUE, ₱ lb	16	@	20	do North'n	35	@	42
GUNNY BAGS	28	@	30	Cheese	18	@	20
GUANO, Peruvian,				PORK, Northern, ₱ bbl.			
Per ton	82 50	@	85 00	City Mess	30 00	@	33 00
GRAIN, ₱ bushel,				Thin "	00 00	@	00 00
Corn	1 25	@	1 35	Prime	00 00	@	00 00
Oats	62½	@	75	Rump	28 00	@	30 00
Peas, Cow	0 00	@	1 25	SALT, Alum, per			
Rice, rough	1 75	@	2 00	bag	2 bush.	1 50	@	2 00
Carolina	7	@	9	Liverpool, sack, ground			
HIDES, ₱ lb.,				cargo	0 00	@	1 50
Green	5	@	7	from store	0 00	@	1 60
Dry	14	@	15	American	1 50	@	0 00
HAY, ₱ 100 lbs.,				SUGAR, ₱ lb.,			
Eastern	1 35	@	1 50	Cuba	12½	@	12½
Northern	90	@	1 25	Porto Rico	13	@	14
IRON, ₱ lb.,				Crushed	13½	@	14
English, ass'd	8	@	10	Powdered	14	@	14½
American, ref.	0	@	10	Granulated	15	@	15½
American,				Crushed	15½	@	16
sheer	9	@	10	SOAP, ₱ lb.,			
Swede	10	@	12	Northern	5½	@	8
Hoop,				SHINGLES, ₱ M.,			
₱ ton	100 00	@	120 00	Contract	4 00	@	5 50
LIQUORS, ₱ gal., (dom.)				Common	2 25	@	2 50
Whiskey	1 35	@	2 25	STAVES, ₱ M.,			
Bourbon	2 00	@	1 00	W. O. bbl	00 00	@	30 00
N. E. Rum	2 00	@	3 00	R. O. hhd	00 00	@	00 00
Gin	4 00	@	7 00	TIMBER, ₱ M.,			
Brandy	4 00	@	9 00	Shipping	10 00	@	10 50
do Apple	2 75	@	3 00	Mill, prime	7 50	@	8 00
do Peach	3 00	@	3 50	Mill Fair	6 00	@	7 00
LUMBER, (River,				Mill, inferior to			
F'r Eds	15 00	@	17 00	ord	5 00	@	5 00
Wide do	12 00	@	14 00	TALLOW, ℔	10	@	0 11
Scantling	10 00	@	12 00				

REVIEW

OF THE

WILMINGTON MARKETS

FOR THE

WEEK ENDING THURSDAY,

September 1, 1870.

TURPENTINE.—In the market for this article we have nothing new to report for the week. There has existed a fair demand, and former prices have been fully maintained—all brought in having found ready sale at $2 25 for soft, and $1 20 for hard, ₱ 280 lbs. Receipts continue small, and the sales comprise only 1,269 bbls., as follows:

Bbls.	Soft.	Hard.
Friday.....290	$2 25	$1 20
Saturday.....280	2 25	1 20
Monday.....76	2 25	1 20
Tuesday.....176	2 25	1 20
Wednesday.....397	2 25	1 20
Thursday.....126	2 25	1 20

SPIRITS TURPENTINE.—During the week just ended the market for this article has ruled very firm, and prices show a slight improvement on those given in our last for Southern packages. There is a fair enquiry for shipment, and receipts each day have been taken as soon as placed on market. The arrivals are rather light for the season, and there is scarcely any stock remain- ing at present in first hands. We quote the market as closing steady at 36 cents for South- ern and 36½ cents for N. Y. Packages, with sales as follows:

Friday	33	casks at	35½	cents ₱ gallon.
Do	500	"	35½	" " "
Saturday	8	"	35½	" " "
Do	80	"	35½	" " "
Monday	505	"	36	" " "
Do	65	"	36½*	" " "
Tuesday	13	"	35½	" " "
Do	50	"	36	" " "
Wednesday	150	"	36	" " "
Thursday	21	"	36	" " "
Do	100	"	36½*	" " "

*N. Y. Packages.

ROSIN—Since the close of our review on Thurs- day last the market for this article has generally ruled quiet and inactive, and prices of all grades are a shade lower. Owing in a great measure to the want of ship room, buyers at present are not disposed to operate unless at lower figures, which factors refuse to accept, and we therefore quote the market as closing dull at figures given below. Receipts by river and rail are only mod- erate, and there is only a small stock in first hands, which is generally held above the views of buyers. We quote sales as follows: Friday, 651 bbls. at $1 47½@$1 50 for strained, $3. ₱ 280 lbs. $3 12½ @$3 25 for No. 1, $3 37½ for extra No. 1, and $3 50 for Pale; Monday, 900 bbls. at $1 50 for strain- ed, and $2 85 for No. 1; Tuesday, 308 bbls. at $1 50 for strained, $1 55 for low No. 2, $3 for No. 1, $3 50 for Pale, and $4 for extra Pale; Wed- nesday, 140 bbls. at $2 25 for No. 1; Thursday, 180 bbls. at $1 50 for strained, 250 bbls. at $1 50 for strained, delivered; 180 bbls. at $1 50 for strained, on the spot, and 373 bbls. at $2, $2 75 @$3 for No. 1, and $3 25 for extra Pale—all ₱ bbl. of 280 lbs.

TAR—Has been in steady shipping demand, and the price is unchanged. Receipts continue light, and for the week are only 355 bbls., which changed hands at $2 ₱ bbl.

BARRELS—The market is at present well sup- plied with empty spirit barrels, and scarcely any demand exists. We quote in the small way from wharf at the following figures: Second hand country at $2 10@$2 20 as they run, $2 50 for se- lected, and $2 60@$2 75 for new;—New York, $2 75 for second hand, and $3 for new.

BEESWAX—Is in enquiry, and finds ready sale at 30@32 cents ₱ lb.

BEEF CATTLE AND SHEEP.—The market con- tinues to be fairly stocked with beeves, and we quote only a light demand at present from butch- ers. Small sales have taken place on the hoof at 6@7 cents ₱ lb for net meat. Sheep are also in fair supply, and slow of sale at $2@$2 50 each, as in quality.

CORN MEAL—Is in fair supply, and demand mainly for retail lots. We quote as selling from the mills at $1 30@$1 35 ₱ bushel.

COTTON.—The market has ruled quite firm for this article during the week, but owing to the small stock and meagre receipts there has been very little done in the way of sales. The better grades are in request, while the lower are rather dull. Recent advices are more favorable, and present indications are that the price will advance a shade. We quote small sales at 15 cents for good ordinary, 16 cents for low middling, and 17 @17¼ cents for middling.

EGGS—Have become very scarce for the past week, few or none coming to market. In de- mand, and sell readily at 25 cents ₱ dozen by the quantity.

FERTILIZERS—Market fairly supplied with most kinds, and but little demand exists at pres- ent. From store we quote small sales as fol- lows: Peruvian Guano, $82 50@$85; Pacific do. $80@$85; Wando Guano, $70; Patapsco do. $65; Phœnix do. $55; Navassa Guano, $65; Wilcox, Gibbs & Co's Manipulated do. $70; E. F. Coe's Superphosphate of Lime, $60; Baugh's Raw Bone Phosphate, $60; Whitelock's Cerealizer $70; Chesapeake Phosphate, $60; Lister Bros. Super- phosphate of Lime $65; Whann's Raw Bone Su- perphosphate, $70; Lodi Manufacturing Co. Pure Bone $48; do do double refined Poudrette $30; do do Nit. phosphate Lime $60; Berger & Butz's Superphosphate, $60; Wilson's Superphosphate of Lime, $60; Star Soluble Phosphate $55; Com- pound Acid Phosphate of Lime $48; Land Plas- ter $18—all ₱ ton of 2,000 lbs.

FLOUR—There is no change to report in the price of this article. The market continues to be fairly supplied with all grades of Northern and Western brands, while there is only a moderate demand for jobbing lots, which is being filled from store at quotations in table. Small receipts of State brands, and sales in the retail way at $4 50 for superfine and $5 for family. ₱ sack of 98 lbs.

FISH—A few lots of Mullets have been receiv- ed and sold from wharf at $5 for pine and $7 50 for oak bbls.

GRAIN—The CORN market has ruled quite dull for the week just closed, and prices are a shade lower. Recent arrivals have been fair, and there is now a good stock in the hands of dealers, while the demand is very light, and mainly for small lots. We quote as selling from store at $1 20@$1 25 for mixed, and $1 30@$1 35 ₱ bush- el for white—highest figures including sacks. Received for the week 8@10,000 bushels, which have gone into store. No cargo sales reported, and any quotation we might offer would be mere- ly nominal.——OATS—Supply fully fair, and only a light retail demand exists, which is being met from store at 70@75 cts. ₱ bushel.——PEAS —Scarcely any are being brought to market, and the stock is very small. There is, however, only a limited demand, and we quote last sale at $1 25 ₱ bushel for cow.——RICE—Clean is in small supply, but adequate to meet the light demand. Carolina sells at 7@9 cents ₱ lb, as in quality.

HAY—Is rather scarce at present, and is in fair demand at an advance in price. About 125 bales Northern received and sold from wharf at 95 cents @$1 05 ₱ 100 lbs.

LIME—Demand moderate, and supply fully fair. Selling from store at $1 35 ₱ cask. One cargo of 1,300 casks received and goneinto store.

LUMBER—Market fully supplied with all de- scriptions, and only a light business doing from the mills at the following figures:

Pine Steam Sawed Lumber—Cargo rates—per 1,000 feet.

Ordinary assortment Cuba cargoes,	$18 00 @ 19 00
" " Hayti cargoes,	18 00 @ 00 00
Full cargoes wide Boards	20 00 @ 22 00
" flooring boards, rough	22 00 @ 23 00
Ship Stuff as ₱ specifications	23 00 @ 24 00
Deals, 3 by 9	20 00 @ 22 00
Prime River flooring	18 00 @ 20 00

MOLASSES—Only a retail enquiry, and market well supplied. We refer to table for store quota- tions.

PEA NUTS—Are in enquiry, and market bare. No receipts, and no sales reported. Would readily bring $2 50@$2 75 for prime and extra quality.

POTATOES—New crop sweet are being brought to market, and sell from carts at $1 50@$2 ₱ bushel. Irish are in moderate stock, and are selling from store at $3 50@$4 ₱ bbl.

POULTRY—Is scarce and wanted, and command high prices. We quote as selling at 25@35 cents for chickens, 40@50 cents each for grown fowls.

PROVISIONS—In the BACON market we report more firmness for the week. Receipts of North Carolina have been meagre, and in consequence the stock has become materially reduced, being barely sufficient to meet present wants. There is a fair demand, and jobbing lots would com- mand 19 cents for sides, 19@19½ cents for hog round, and 21@22 cents ₱ lb for hams. *Western* is in fair supply, and we quote a moderate busi- ness doing from store at the following figures: Smoked, 17@17½ cents for shoulders, 19@19½ cents for sides, and 18@23 cents for hams; dry salted, 16@16½ cents for shoulders, and 18@19 cents for sides.——LARD—Supply of Northern fully fair, and demand light. Selling in lots from store at 16@21 cents ₱ lb.——PORK—Northern is in light stock, and only a meagre demand ex- ists. For store prices we refer to our table.

SALT—Is in moderate supply, and demand light. From store we report as selling at $1 50 for American and $1 60 ₱ sack for Liverpool ground.

SHINGLES.—The market rules dull, with only a light demand for building purposes. We quote small sales at $2 25@$2 50 for Common, and $3 50@$5 ₱ M for Contract.

TIMBER.—For common there is a moderate de- mand for mill purposes, and sales are easily made at former figures, while the finer qualities are dull and unsaleable, unless at a decline in price. Receipts, however, are light, and only small transactions are reported at quotations in table.

WOOD—Sells by the boat load at $2 50@$3 for prime and ash, and $3@$3 25 ₱ cord for oak.

FREIGHTS—To coastwise ports are rather firmer for the week, owing to the scarcity of vessels, but we have no quotable change to make in for- mer rates. There is a moderate quantity of pro- duce offering, which is being taken at prices quo- ted in table.

Rates of Freight.

	Per Steamer.	Per Sailing Vessel.
TO NEW YORK.		
Crude Turpentine per bbl.	$0 00 @ $0 40	$ 00 @ $ 40
Tar, "	0 00 @ 00 40	00 @ 40
Spirits Turpentine, "	00 @ 1 00	00 @ 0 60
Rosin, "	00 @ 0 40	00 @ 40
Cotton, per bale.	00 @ 2 00	@ ¼
Cotton Goods, per bale.	0 00 @ 1 00	@ 75
Flaxseed, per bush.	00 @ 15	00 @ 15
Pea Nuts, "	@ 10	00 @ 10
TO PHILADELPHIA.		
Crude Turpentine per bbl.	0 00 @ 50	0 00 @ 50
Tar, "	0 00 @ 50	0 00 @ 50
Spirits Turpentine, "	0 00 @ 0 90	0 00 @ 80
Rosin, "	0 00 @ 50	00 @ 50
Cotton, per lb.	0 @ ¼	00 @ ¼
Cotton Goods, per bale.	0 00 @ 75	0 00 @ 1 00
Pea Nuts, "	00 @ 12½	00 @ 12
Lumber	00 00 @ 8 00	00 00 @ 6 00
TO BALTIMORE.		
Crude Turpentine per bbl.	00 0 @ 0 45	0 00 @ 0 40
Tar, "	00 0 @ 0 45	0 00 @ 0 40
Spirits Turpentine, "	0 00 @

THE WILMINGTON JOURNAL
WILMINGTON, N. C.,
SATURDAY, AUGUST 27, 1870.

[BY TELEGRAPH.]

HABEAS CORPUS.

THE TREASURER ENJOINED—THE GRAND OVATION.

RALEIGH, Aug. 25.

The Treasurer and Paymaster have been enjoined by Judge Mitchell from paying Holden's soldiers.

Josiah Turner, editor of the *Sentinel*, Judge Kerr, Hon. S. P. Hill and other prisoners recently released were received this afternoon at the North Carolina Railroad depot by an immense crowd of citizens. The Procession of mounted men and carriages, decorated with flowers, marched through the principal streets. The wildest enthusiasm prevailed. The ladies waved handkerchiefs and the people cheered.

The Procession halted before the Court House, where speeches were delivered.

During Senator Robbins' speech, three cheers were given by ex-Confederate soldiers for the American flag held in their hands.

On arrival of the train a National Salute was fired in honor of the Prisoners, Judge Brooks and *Habeas Corpus*.

A large number of colored persons participated in the ovation.

The best of order prevailed throughout.

All the speakers counseled moderation and conciliation.

Personal.

In reply to the numerous letters received by the editor of this paper from members elect to the Legislature and others, requesting him to become a candidate for the Chief Clerkship of the Senate, and for another office within the gift of the General Assembly, he desires it to be understood that he will not be a candidate for either one or any other.

He appreciates the partiality in which his services are held, and is gratified for the kindly feelings expressed towards him personally, but he must respectfully decline the proposals of his friends.

The Conservative victory has indeed been very great, but the contest is not yet over. He has no time now to stop in the midst of his labors to rest upon the advantages obtained in the present campaign. He prefers to remain at his post, to prepare for other and greater victories, where he believes his services will be more beneficial to his party.

Negroes In Congress.

The colored Republicans of the South seem determined to be represented in the next Congress. The defeat of Harris in the Raleigh District, gives them no member from this State. They were cheated out of one in the Second Congressional District, for comprising nine-tenths of the entire Radical vote in that District, they had the right to claim one of the two Congressmen to be elected.

In South Carolina J. H. Rainey, colored, is the Radical candidate in the First District; R. C. DeLarge, colored, in the Second District; R. B. Elliott, colored, in the Third District. The first two will doubtless be elected.

In Florida Josiah T. Wall, colored, is the Republican candidate for Congress. Florida is entitled to only one, and we suppose Wall will be elected.

We have not heard whether in Arkansas, Mississippi, Louisiana, Texas and Alabama, there are any negro candidates, but we suppose there are, and some probably will be elected.

"A Word to Governor Holden and Senator Abbott."

Will Governor Holden and Senator Abbott answer the following question propounded by the New York *Tribune* (high Radical authority), *loud enough* for the people of North Carolina to hear their responses? Don't, gentlemen, answer through the channels of the Loyal Leagues or party caucuses. Come out boldly and let us all know who did the multiplication. The original statements of Tourgee were false enough, in all conscience, to satiate the malignity of ordinary men, but it seems that it was only a tithe of that which rankled in the hearts of these two officials.

The *Tribune* says:

"We have a word for Governor Holden and Senator Abbott. Just before the North Carolina election we printed a letter from Judge Tourgee concerning the Ku-Klux outrages in that State. Certain very startling statements were made in it which, but for the respectable signature, would have been universally scouted. Judge Tourgee promptly wrote us, complaining that the figures he had given, in enumerating cases of outrage, had been increased tenfold by the addition of a cipher to each, converting ten into a hundred, etc. Now, we printed the letter precisely as Governor Holden in person delivered it to our correspondent, and as the correspondent understood that Governor Holden had had received it from Senator Abbott, to whom it was addressed. We submit to these gentlemen that they have allowed too long a time to elapse without explaining to us how the disgraceful garbling occurred. We should have expected them to be as indignant as we were ourselves at the fraud practiced upon us, and to be prompt in exposing the forger who abused their trust (in copying the letter) by putting into Judge Tourgee's month monstrous assertions which he never dreamed of uttering. Governor Holden! who garbled the letter which you gave our correspondent?"

Political Falsehoods.

The Raleigh *Standard* copies the following false statement from the Washington *Chronicle*, in regard to the Conservative Celebration in this city:

The Conservatives, so-called, of North Carolina, seem bound to make the most of their success, whatever that may have been, at the late election in that State. A few nights ago a grand celebration was gotten up at Wilmington in honor of the election of a Democrat over two Republicans in the Third Congressional district. Every opponent of Republicanism was of course invited to attend, and some two thousand persons assembled. Colonel Robert Cowan made the address of welcome, and from persons present we learn that the scene reminded them of what occurred frequently in 1861, when it was supposed in that latitude that Yankees would not fight. There was the rebel flag displayed, and there were some of the same men under it.—Colonel Cowan growing eloquent with his subject, said in substance, "the principles which we rejoice over to-night are the same as those for which George Washington died and Jefferson Davis suffered!" A sympathetic individual in the crowd at this juncture called for three cheers for "Jeff Davis," and the old Cayotte yell made the welkin ring.

These facts we have from reliable authority, and we merely give them publicity to let our readers know who has gained the victory in that State.

In the procession formed on the above occasion, we are reliably informed, that only two colored men, to their credit be it said, took part. One of these was drunk and the other was locked up the next day to answer for a heinous offense.

There is no single statement in the article true. We suppose at least eight thousand persons took part in the Celebration. The National flag waved over the Conservative Head-Quarters, and a number of them were borne in the procession. Colonel COWAN made no reference to the principles for which JEFFERSON DAVIS suffered. No cheers were called or given for "Jeff. Davis." A large number of colored men took part in the proceedings, and behaved themselves with decorum and dignity, and hundreds of them listened with earnestness and with approval to the speeches of Colonel COWAN and others who addressed the multitude that night.

The Washington *Chronicle* had a reporter present, or a person who was represented by Republicans here to be a reporter of that paper, and therefore it was unnecessary and dishonest to publish unauthorized rumors of what those present told about what was said and done.

There is one consolation, that the publication of these statements in the *Chronicle*, and their appearance in the *Standard*, furnishes no evidence of their truth. Neither of these papers are now trusted by the more respectable organs of the Republican party of the North.

The necessities of the party are great, indeed, when its official organs must lend their columns to such base slanders to keep alive the prejudices of the Northern masses against the people of the South.

Considering the vast crowd and the excitement and enthusiasm of the occasion there was never a more peaceful or orderly celebration. Some of the more ignorant and prejudiced negroes, excited with liquor and bad counsels, followed the procession with oaths and insults, and others went so far as to throw stones which, in several instances, inflicted severe injuries. But this conduct was borne with patiently, and the injured parties have sought redress before the Courts. While it may be dangerous to repeat these insults and attacks upon a similar occasion, the Conservatives acted with the greatest forbearance.

The misrepresentations and malignity with which their unexceptionable conduct has been treated by Northern Radical papers will not tend to confirm the opinion that the forbearance of the Conservatives on that occasion was judiciously exercised, nor will it be calculated to impress them with the *policy* of again submitting to insults and injuries in order that no ground for misrepresentation might occur.

We are fully persuaded, however, that our recent victory and its results, including the Grand Celebration in this city, will break down most of the political barriers between the whites and blacks. We have already seen many of them fade away before the truths which are now appearing to the colored people for the first time. And when the beneficial results of wise and wholesome laws, and an honest and economical administration of the State Government, are felt by every man in North Carolina, without regard to his politics, his race or his occupation, these barriers will entirely disappear, and the colored man will give his support to the party where his interests lead him, uninfluenced by prejudices or false hopes.

Col. Robert H. Cowan.

We took occasion several days since to recommend Colonel ROBERT H. COWAN for United States Senator, not only as our individual choice, but as that of the people of this section of the State. His abilities, his character, his earnest labors on the hustings and elsewhere, in behalf of our cause, his great popularity with all classes of people, pointed him out as the proper man for the distinguished position for which we recommended him.

In reply he has written us the following letter, declining the use of his name in this connection. The reasons which he assigns do credit to him, and are in perfect keeping with the patriotic and unselfish course which has characterized him as a public man. His firm determination not to permit his name to embarrass the action of the members of the Legislature, or to jeopardize the fruits of the Conservative success, does him honor which will not detract from the credit due to his eminent abilities and services, or the public appreciation of them:

ALLEGHANY SPRINGS, Aug. 22, 1870.

Messrs. Engelhard & Price, Wilmington, N. C:

GENTLEMEN:—I have just received your paper of the 19th inst., and have read the article headed "United States Senator," in which you do me the honor to suggest my name to the General Assembly as a candidate for that position.

I thank you, with all my heart, for the high compliment you have paid me; and I truly feel that an election to the United States Senate, by the first Conservative Legislature which has assembled in North Carolina since the passage of the reconstruction acts, is an honor which ought to satisfy the highest ambition. But my views of the duties which devolve upon us all, in the present condition of North Carolina, will not permit me to consent to come before that body as a candidate for this, or any other office.

The members of the next General Assembly will have a herculean task to perform. At the very best, the full discharge of their duties will be surrounded with difficulties and disagreeable embarrassments. I am not willing to add to their embarrassments, or to place the slightest obstacle in the way of the speedy and successful performance of their duties. I feel that this is no time to press individual claims, or to attempt to indulge personal partialities. Preferences of all kinds should be yielded freely to considerations for the public good. Let the General Assembly act firmly and promptly for the honor and the interests of the State, and those of us who have labored earnestly for the success of our party, in the late election, will have abundant cause for satisfaction and thankfulness.

There is still another consideration which, of itself, would be conclusive with me. In my judgment the General Assembly ought not to elect any one to the Senate who is laboring under political disabilities, unless it can be rendered *absolutely certain* that those disabilities will be removed by Congress. The risk is a great one; and it is one which our State cannot afford to take. It may be that the Senate will follow the precedent set by the House of Representatives in the cases of the contested elections from Louisiana and South Carolina; and, instead of removing the disabilities of our Senator elect, will give the seat to the candidate who received the next highest number of votes. In such an event, and it is not an improbable one, the Conservative party would have thrown away an important part of the fruits of their victory, and North Carolina would be misrepresented for six years longer on the floor of the United States Senate.

I confess that I am unable to see how this *absolute certainty* of the action of Congress can be reached in any case, and I am confident that it cannot possibly exist in my case. I know not what "good grounds" you may have for saying "that my disabilities would be removed in the event of my election;" but I feel very sure that you are mistaken. On the contrary, while I know that certain influential members of the Republican party would be faithful to their promises to vote for the removal of my disabilities, I have no reason to believe that they could accomplish it. I have no expectation and no hope of relief until Congress shall pass an act of universal amnesty.

With these views and feelings, while I have no desire to thrust my opinions on any one, I have felt that your article has made it incumbent on me to express them, and to ask of you, respectfully but positively, to withdraw my name from the position in which you have placed it.—I do so with perfect sincerity, and without any desire to dictate to the General Assembly, or to interfere with the claims of those distinguished gentlemen whose names have been mentioned in the same connection. I shall be perfectly content to be *represented* by any one of them.

In conclusion, gentlemen, I thank you again for the compliment you have paid me, and especially for the flattering language in which you have seen fit to express the compliment. I desire, also, to thank my friends of that entire section, of whom you say that I am the "unanimous choice." If it be true that, *in their judgment*, I have "contributed much" to the great and glorious victory we have won—a victory which involves the interests, and the rights, and the liberties of the people of the entire Union—then I am content. I ask for, and desire, nothing more.

With great respect, I am,
Very sincerely, yours, &c.,
ROB'T H. COWAN.

Murder of Stephens—The Ku-Klux.

The length of the proceedings before Chief Justice Pearson is not equal to their interest and importance. We therefore continue to give them in full, to the exclusion of much other matter.

We trust all will read the evidence published to-day. It not only exonerates Mr. Wiley, whose innocence has never been doubted by those who know his character as a man, but establishes the fact, we think, beyond a doubt, that Stephens was murdered after dark, by those who were with him at the Radical meeting at the school-house, and his body taken into the room in which it was found, after the box had been placed at the window by his brothers and others in their search for him; or he was murdered after the adjournment of the meeting, in the passage of the Court House, or possibly in the room in which his body was found, the door then bolted, the murderers escaping through the window, with the guilty knowledge of those professedly watching for them. For, at five o'clock in the afternoon, after Wiley and most of the people in attendance upon the Conservative meeting had gone home, or were preparing to go, Stephens was seen going to the school-house where a Radical meeting was being held, and the door of the room in which his body was subsequently found was ajar, one of the witnesses (Branch Pinnix) pushing it open in searching for a gentleman.

The evidence is important, also, as showing on what slim foundation Governor Holden declared war upon the people of Caswell. This does not seem to be a trial to fasten the murder of Stephens upon Mr. Wiley, but to show that there is such an organization as the Ku-Klux, in order, we suppose, to affect the recent elections in this State. It appears that there is no secret political organization of any kind in that county. There may be a combination of some sort among the young and more thoughtless, to punish negroes and others for the crimes they were committing seemingly without fear of punishment at the hands of Radical magistrates and Judge Tourgee.

Months before the murder of Stephens, anticipating the condition of affairs which has since been brought about, we proposed that Judge Mitchell, Judge Buxton or Judge Russell be permitted to exchange circuits with Tourgee, and that all the troubles in that judicial district would end. There was a want of confidence in the honesty and integrity of Judge Tourgee, which we were satisfied was well founded, and which we thought would lead to serious difficulties. We suggested an easy and, we believed, a certain remedy therefor. Had our advice been followed these combinations, if they do exist, and if there are reasons for their formation, would have been disbanded. The causes which lead to the combinations of citizens for mutual defence and protection disappear before a just and firm administration of the laws.

Was there an honest desire upon the part of Governor Holden to avoid the troubles which threatened?

From the Raleigh Sentinel.

Bench Warrant Cases Before Judge Pearson.

FOURTH DAY.

3 P. M., August 20th.

State vs. F. A. Wiley, charged with the murder of John W. Stephens.

EXAMINATION OF WITNESSES.

Dr. Roan was sworn and testified; gave a description of the Court House building of Caswell, position of the various rooms and surroundings. Resides in Yanceyville, is one of the County Commissioners, was in Yanceyville on the day Stephens was said to have been murdered; went into the room with the jury of inquest on Sunday morning; saw the body; there was a small grass rope, nine feet long, doubled, drawn tightly round the neck with a noose; there were three stabs, one on each side of the windpipe and one in the breast. Saw the knife said to have been found near the body, it was nearly new, double-bladed, the largest blade about three inches long. The body was drawn up, the knees toward the breast, placed in a gap in a pile of wood at the end of the room, as if it had been pushed down there, head resting back on the wood, the side toward the wall. Has no doubt the murder was committed in the room; saw blood on the wood and the wall as if it spirted on them. Saw blood on the window sill and a box under the window, and one drop which appeared brighter than the rest on the granite foundation. There was no blood on the floor except near where the body was found.

CROSS EXAMINED.

Am a County Commissioner, was applied to about 9 or 10 o'clock on Saturday night by Thomas Stephens and a colored man named Cook for permission to search the Court House for Stephens, gave the permission and went with them; there were a large number of persons about the Court House, especially near the room in which the body was afterwards found, mostly inside the iron fence, but some were outside. In searching, thinks they went first to the Court room, not certain as to that; also looked through the rooms below, except the rooms of the Clerk and Master, and two others occupied as law offices. Tom and Henry Stephens and Mr. Groom were in the company. When they came to the room where the body was found, one of the Stephenses looked in at the windows by standing on a box which he had brought and placed for the purpose—looking in at both windows by aid of candles. Saw no blood that night on the window; the box was brought some 30 or 40 feet; heard no one speak of seeing any blood; left the box under one of the windows. Went back about 8 o'clock next morning, then saw blood on window sill and on the box, and the drop on the granite foundation; this was at the north window where the box had been left. The windows were down the night before, don't know whether they were fast, they are usually fastened by a stick over them.—Was not present when the room was first entered on Sunday morning, went in with the jury soon after; saw no key.

Q. by defence—Have you been arrested about this affair? Objected to.

TO THE CHIEF JUSTICE.

The blood on the window sill seemed to have been left by the pressure of some bloody object, as a hand or foot, and the same of that on the box. Don't think the body could have been seen from the window.

DIRECT EXAMINATION RESUMED.

We made no examination at the South window because of its height, some 7 or 8 feet from the ground—it was Thomas Stephens and the negro Cook who asked permission to search the Court House, and I went with them.

TO JUDGE DICK.

The granite would not absorb the blood so readily as the wood, which may account for the fresh appearance of the drop of blood on the stone, but feels certain that the blood fell there in an uncongealed state; it struck the edge of the stone and divided, a part trickling down the face of the stone; thinks the action of the atmosphere would change the color of the blood more than anything else.

Daniel Johnston, colored, called, and cautioned by the C. J. as to the responsibilities resting on him, at the request of defendant's counsel.

[Johnston's evidence is unimportant.—ED. JOURNAL.]

Louis Hill was called and examined. He testified positively to Wiley's touching Stephens on the arm, and their going out together, between 2 and 3 o'clock. He saw nothing of either afterward, and did not hear of the murder until next day.

The session was then adjourned to 9 o'clock to-morrow morning.

FIFTH DAY.

TUESDAY MORNING, August 23.

Court sat at 9 o'clock.

Wm. H. Stephens called and examined. Lives in Yanceyville; boarded with his brother at the time of his death. On the day of the murder went to the Court House at 8 or 9 o'clock, A. M. His brother went there some hour later—they remained till adjournment for dinner—he and his brother dined together. His brother went back about two o'clock; had one ten-shooter and two Derringer pistols—saw him take them from a wardrobe and put them in his pockets. Followed to the Court House 20 minutes after—saw his brother in the Court House; he was taking notes of Hodnett's speech, who made personal allusion to his brother, to the effect that he was taking notes to send to Holden to be forwarded to Grant—this drew attention to his brother; saw several men apparently looking as if to see his notes. About 4 o'clock saw Wiley approach him; thinks he said to him "let's go down," at the same time touching him; they went down together; this was while Mr. Brown was speaking. Went down before speaking closed; saw several persons passing up and down; went to Harrelson's, saw his brother no more—could have seen him if he had been in front of the Court House. About 5 o'clock went to Groom's and then home. Mrs. Stephens was uneasy and asked him to look for his brother; went out and enquired, but heard nothing of him; went to Groom's again and got his brother Tom and they went back to the Court House; went round to Neal's store; then sent for —— Cook, colored, who is a magistrate; Cook and Thomas Stephens went for Dr. Roan; they then with Dr. Roan and others searched the Court House, except two law offices and the Clerk and Master's room; Dr. Roan sent to Norfleet for the key to this room but it could not be found. They then went to the window of the room and Groom looked in at the window; this was near 7 o'clock; they had a candle, but it threw but an imperfect light. Nothing was said of opening the windows that night. Then got a lantern and searched Potect's stables, then the crowd dispersed; went home. Came back in about 10 minutes, went where Thomas Stephens was, in rear of the Court House and remained till morning; Hemphill was there also, and squads of colored persons were on all sides the Court House. Saw no others, except some persons about Norfleet's store when he first returned; do not know who they were, white or black.

CROSS EXAMINED.

Hodnett said Stephens had received $500 for some political service, &c.; knew he had his pistols in the morning when he left home; didn't see them when they went to dinner. There were some 300 persons in the Court House in the afternoon. His brother took notes on paper and on books he carried with him. Thinks Brown spoke after recess, for about an hour; left the room just before he closed; some of the candidates spoke; didn't hear Hill; it was just before Brown concluded that Wiley and Stephens went down to the front steps—no one was with them; people were coming and going all the time; saw Fowler and Hubbard go out. Stephens was sitting about four benches in rear of witness on opposite side of the aisle, Wiley was in the aisle; thinks Fowler and Hubbard went out about two minutes after Wiley and Stephens. Harrelson's store is some 50 yards from the Court House; thence to Groom's 400 yards. As he returned after going home second time met Hemphill, who was coming from towards Groom's store; he was rather passing the Court House and went towards Henderson's store, a little to the Northwest of the pump; saw several colored persons about but no more than ordinary. [Repeated the places he went to, after Stephens was known to be missing, as in the direct examination.] Norfleet is Register of Deeds and they got keys from him to the Court room, Grand Jury Room and Register's room. The doors at the foot of the stairs leading to the Court room were locked, some half an hour was consumed in searching the Court House; door to the passage was open.

The wood was piled across the north end of the room in which the body was found; no one could see to where the body was from the window furtherest off, on account of the chimney and thickness of the wall, but could see it from the near window; the hat was between the body and the wall, on the floor, think it was; don't know why the windows were not opened that night; the sash run on pulleys and may be raised and lowered easily; they could have been hoisted that night; they were next morning. After the search that night, went to the front of the Court House, did'nt see Hemphill at that time; saw no blood that night. The search closed about 10 o'clock and the guards were then stationed round the building; saw Hemphill after the search at rear of Court House sitting near a tree. The body was found by Geo. Bowe, colored, about sun rise on Sunday morning.

RE DIRECT.

Hubbard and Fowler followed Stephens and Wiley from the Court House in about ten minutes; the body was found about the middle of the pile of wood at the end of the room, in a gap where the wood had been taken away; the wood was about three feet high; heard the exclamations on finding the body; don't know about the windows whether they were fastened down or not.

TO CHIEF JUSTICE

Stephens' house is four or or five hundred yards from the public square.

TO JUDGE DICK.

Mrs. Stephens is sister to Mr. Groom.

Richard Graves (colored) was then examined. He testified to Wiley's having touched Stephens on the shoulder and their walking out of the Court House together. This was between 2 and 3 o'clock.

The report of the day closes here.

(THE STATE VS. F. A. WILEY.)

FIFTH DAY, (CONTINUED.)

TUESDAY, Aug. 23.

Joseph Womack examined:

Lives in Yanceyville township, was in the town on the day of the murder; went to the Court House about 4 o'clock in the afternoon, didn't go in; wanted to see Stephens; saw a man who said he was from the railroad, and asked him if he knew where Stephens was. The man replied, he had just seen him up in the Court room and he reckoned he was there in the room where they were giving in taxes. Witness stood near the gate and looked down the passage to see if he could see Stephens. While looking saw some men come out of the last door on the left of the passage, they were Frank Wiley, Logan Totten, Jim Mitchell and three others. Wiley passed me and went on towards Harrelson's store, was sweating as if he had been at work; don't know where the others went, didn't notice. Witness then left and went to the caucus meeting at the school house; came back and assisted to guard the Court House that night; was on the front; don't think any one could have passed in or out without his seeing them; saw no whites on guard, did not see Hemphill, but saw Henry Stephens.

CROSS EXAMINED.

Was summoned, on Saturday a week ago, to come here; after the murder went to Danville; came back when the soldiers came to Yanceyville; had been in Kirk's camp since he came to Yanceyville; had been doing things for his friends and neighbors; had done nothing in the camp; came with Kirk to Graham; the other witnesses did not come; went to Salisbury; went because he did not know but the trial was to be there; Kirk, he said, had ordered him to come with him; he came back to Graham with the troops and stayed there with them till he came here. He left Salisbury on Friday morning; had thought the prisoners were to be there, but found they were not and came back; didn't know but Wiley was taken to Salisbury; saw him at Graham, knew he was put in jail there, but didn't know he was brought here; didn't see him on the train, didn't know he was ordered here. He was in the same car with the prisoners that went to Salisbury but didn't know Wiley was not along. Don't know how long he stayed at Graham; got board among the colored people there; got nothing from the soldiers at Graham nor at Yanceyville. He got no pay from the soldiers.

He told to Ruffin Hill about seeing the men come out of the room, on the Tuesday after Stephens was buried; had told no one else, white or colored, and told him to tell no one. He gave in his evidence to Burgen at Yanceyville, soon after the troops came to Yanceyville; Burgen had been there four or five days before he told him; told it then because he was afraid to do it before. Had told the guard, when they first came, that he wanted to see Burgen, and the guard said he reckoned he was busy; would not say he had not been in the Court House before that after the troops arrived; he had passed through there frequently. He got acquainted with Kirk and Burgen soon after they arrived—some four or five days. He talked with Kirk at Mrs. Stephens'; he happened there and Kirk came there after he did and took breakfast there. Mrs. Stephens and Mr. Henry Stephens were present; I was not introduced to Col. Kirk; had seen Kirk and Burgen before—saw them a day or two after they came. Saw Burgen have Wiley in custody the first day he came, which was on Monday; saw Kirk a day or two after, I was at Danville when the Regulars came, but was at Yanceyville when the State troops came. Did'nt say anything to Kirk at Mrs. Stephens' but "howdy," did'nt tell him I knew anything about this matter. It was 4 or 5 days after I met Kirk that I saw Burgen in his office in the Court House. Did not tell Mrs. Stephens nor Henry Stephens, nor any one else. Did not sign my name to what Burgen wrote; Kirk took down my evidence in regard to the Ku-Klux matter at Greensboro' and I signed that. I was not sworn when I gave my evidence to Burgen.

It was about 4 o'clock when I went to the Court House on the day of the murder—I had just come from Greensboro' from the Ku-Klux trial before Judge Tourgee; had been staying about the country among my friends; simply happened to be in Yanceyville that day. I was Ku-Kluxed on the 30th of April, I went down to the Court House in the morning and then again at 4 o'clock; wanted to see Stephens to get a warrant from him, he was a magistrate; I wanted a warrant against a party who had made threats against me; did'nt go to Stephens' house to look for him.—[Witness repeats about seeing the men come out at the door.] One of them seemed to stop as they came out, as if he was shutting the door; not positive, thinks he did. Was at the Court House on Monday; went down the passage to look at the door to be sure I was right about it, wanted to be positive.

He heard that Stephens was missing about dusk, while at Jerry Graves; a woman came to the gate and said Ruffin Hill wanted me and Wiley Turner to go down to the Court House, that Stephens was missing, and they wanted us down there. We went down, saw several persons about there, was with them in the search through the rooms below; don't think I went up in the Court room. We couldn't get into the room where the body was afterwards found; didn't say anything at that time about seeing the men come out of that room that day; knew they went round to look in at the windows, but didn't go with them; knew nothing about the box; saw them have a candle; heard nothing about blood on the box; was not there on Sunday; left soon in the morning to go to Church, about 4 miles off; left before the body was found; came back in the evening; heard that the jury had met; was there on Monday in the Court room, and stayed till the inquest adjourned, went during the day to look at the door to be positive about it; don't remember who were examined before the inquest on Monday; don't know much about the other doors on the passage; don't know what rooms they lead to, nor how many of them. Left and went to Danville on Tuesday, about 1 o'clock; went for fear of danger; told Ruffin Hill about seeing the men before leaving on Tuesday; saw no one in the passage on Saturday but the men named; went to the caucus meeting soon after seeing them, perhaps about 10 minutes; saw no one else but the man who said he came from the railroad. Heard them speaking in the Court House while I was standing at the gate; don't know whether the meeting closed before I left or not.

RE-DIRECT.

Didn't hear anything about the box that night nor on Monday; never heard of it before here to-day.

TO THE CHIEF JUSTICE.

After I told Kirk and Burgen what I saw, I stayed with them for fear of being molested.

Adjourned to 3 o'clock.

AFTERNOON SESSION.

The Chief Justice resumed his seat upon the Bench at 3 o'clock p. m.

Ruffin Hill (col.) testified that Joe Womack, on Tuesday morning after Stephens was killed, told him that he saw Mr. Wiley, Logan Totten, Capt. Jas. Mitchell and three others who he did not know come out of the room where the murder was committed. (The rest of his testimony is unimportant.)

[Benj. Shaw (col.) was examined. [His testimony was unimportant.]

Judy Robinson testified that about 3 o'clock or sooner she was in Harrelson's store. There was a "heap of folks" in there passing backward and forwards.—Saw Mr. Wiley come in. He pulled off his hat and seemed to be hot. Somebody asked him if he had been running, and he said, "no, havn't been running, but worse." [Rest of testimony irrevelant.]

Court then adjourned until 9 o'clock to-morrow morning.

SIXTH DAY.

WEDNESDAY MORNING, Aug. 24.

The Court met pursuant to adjournment.

F. A. Wiley, the accused, made the following statement:

Arrived in Yanceyville on the 21st May, 1870, about 9 o'clock in the morning; drove up to the South end of the Court House, near a locust tree. While unhitching my horse was called to by Mr. Stephens, who said he wished to have a talk with me. After tying my horse I stepped in at the south door into the passage, and there found Mr. Stephens and Mr. John Hemphill, spoke to them; in a few moments Mr. Hemphill moved away up the passage of the Court House, leaving me and Mr. Stephens alone. Mr. Stephens then remarked to me, "I have been wanting to see you for some time; I want you to aid me in harmonizing political matters in this county. I want you to run for Sheriff; I look upon you as being a moderate man in politics; I cannot support my present Sheriff, nor can my party.—Now, if you can get the Conservative nomination here to-day, we will make no nomination for Sheriff and my party will support you." I replied that I had been Sheriff once, I quit it of my own accord, and had no aspirations for it again; that I had an old mother to take care of, and my wife was in bad health, and I preferred to stay at home. Mr. Stephens then said, "don't make up your mind hastily, I want to talk with you further on the matter," and we then separated. I went in the office of Watt & Withers, and on going in Mr. Watt rather jeered me for having a talk with Stephens, or asked what I and Stephens were so familiar about. I then stated to him what we had been talking about, and I observed to Mr. Watt that Mr. Stephens had on one occasion obliged me and I could not forget it, and if others saw fit to crow at him I should always treat him with respect.

I walked out a few moments, but soon returned and paid Mr. Watt a fee I owed him, and then went directly to the Court room above, and participated in the Conservative meeting until it adjourned for recess about 12 o'clock. It was to meet again at 1½ o'clock, but I think it did not meet until about 2. After the re-assembling, I heard the nominations read out, and the speech of Col. Livingston Brown, which lasted a considerable time, then the speech of Col. Withers, which was a short one. Then Mr. Hodnett rose to make a speech, and during the time he was speaking I left the Court room. As I left I saw Mr. Stephens sitting within a few seats of the end of the Court room and near the end of the bench, who seemed to be taking notes. I went out and went over to Capt. Mitchell's Drug Store and took some refreshment, and then returned to the Court room. When I got back, Hon. Bedford Brown was speaking. Mr. Stephens was still sitting where I left him. As I passed him, he took hold of my pants and drew me towards him, and said, "I am busy now, I want to take some notes, in a little while I want to see you." I walked a few steps up the aisle towards the bar; just then Mr. Williamson Martin drew me to him and we had some conversation about the nominations. While I was talking with Martin, I saw Mr. Stephens beckoned to me; I approached and put my hand either on the back of the bench or his shoulder as I stooped towards him. Mr. Stephens then said 'I am ready, let's go down." I walked on ahead and he followed; when we reached the steps we commenced a conversation by his remarking, "I want to put you on my ticket for Sheriff." When we reached the vestibule, I told him peremptorily that I could not and would not be a candidate. I then went out at the gate on the public square, in the direction of the pump and towards Mitchell's Drug Store. Mr. Thos. Bigelow came up and we had some conversation. In a short time John H. Kerr came up; he and myself went over to Mr. Johnston's store, where I loaned him $50, according to a previous promise, and took his note for it. I then returned immediately to the Court House and in the vestibule met Mr. John C. Wilkerson, who seemed to be reading the advertisements on the wall; we talked awhile about the nominations, and in the conversation I mentioned that Stephens had endeavored to persuade me to become a candidate for Sheriff. At that moment, looking down the passage, I saw Stephens standing in the passage opposite the Grand Jury room, where the tax lists were taken, talking to a colored man, and pointed Mr. Wilkerson's attention to the fact. Wilkerson and myself soon went out on the square in the direction of the pump, where we saw Jerry Smith and Mr. Dismuke, who were on their horses to start home, and asked me if I was not ready to go. I told them I was; and remarked to Wilkerson I had bought a bottle of bitters in the morning at Harrelson's and proposed that we should go and get a drink of it. We went and after drinking, came out towards the pump, Wilkerson said he had to go to Mitchel's for some medicine for James Malone, and then he would be ready. I told him I would go and get my horse. I walked immediately through the passage of the Court House to the south end where I found Hamp Johnson and told him to hitch my horse, While he was doing so, I was approached by Lee Hensley, who said I had him bound out while I was Sheriff, and wanted to know if he could'nt get some pay, and how he could get it. I told him to go to Henry Brannon the Clerk, and to employ counsel that I could tell him nothing about it. About that time Dr. Richmond I think came up and perhaps others, and I commenced joking Hamp Johnston about a niece of his who lived at my house. I wished to see the Clerk Henry Brannon, stepped to his office, but finding it locked, I returned, went to my bugy and drove round to the pump, went into Mr. Henderson's store opposite and asked for a bucket to water my horse. He had no bucket, but let me have a noggin, which I took to the pump; a colored man pumped the water for me, and having watered my horse, I told him to return the noggin, and I got in my buggy and left, in company with Mr. Wilkerson, which was, I think, about 5 o'clock. About a mile from town we overtook Col. Winston and Wm. Long; we traveled together about a quarter of a mile, talking on the nominations made that day. At the fork road they took the Milton road; we the Leasburg road.—About three miles from town overtook Jerry Smith and Mr. Dismukes, and traveled with them to Mr. Covington's 8 miles from Yanceyville, where we arrived about sunset. Here Wilkerson turned off toward home, Smith and myself went on to my gate, within half a mile of my house, which was about dusk.

For the Journal.

The Election—Matters in Fayetteville—Magnificent Crops in Cumberland, Harnett, Moore and Chatham—Western Railroad—The Proposed Extension.

FAYETTEVILLE, N. C., Aug. 23, 1870.

Dear Journal:—I left your pleasant city last Wednesday for a little quiet perspecting in and around Fayetteville, and the neighboring country. I took passage up on the steamer D. Murchison, one of the staunchest, as it is one of the fastest, of the many good boats now plying between Wilmington and Fayetteville. We left your city at 2 p. m., and arrived at Fayetteville at 5 a. m. the next morning, having made the run of 120 miles in just 15 hours, including all stoppages. To Capt. Alonzo Garrison, the commander of the Murchison—who ranks with the river traveling public, with the venerable Hurt—I am indebted for a thousand and one of those little attentions that so effectually relieve weary travel of its many cares and annoyances.

I have met with many old friends at this place, and have made some new acquaintances. The town has undergone but little change, during the past year, although its worthy people are still energetically engaged in talking of "the good time coming." The wonderful results of the recent election, and the still more wonderful crops of this year are also attractive themes, and it is upon these two facts that the people here base so many of their bright hopes for the future. If Fayetteville is not now, as it once was, the very soul of enterprise, it is not that the energy of its people has become a thing of the past, but because of the great financial and political disasters that have befallen the State, under Radical rule and ruin. But a fervent "thank God," has gone up from every honest heart, and we know that the end is at hand. The sun again shines upon the sacred spot of the temple of Osiris, and from the ashes left behind him by Sherman, there will yet arise a new Phœnix—a new Fayetteville—a new people.

Since my first arrival here I have been on a short run up through the counties of Cumberland, Harnett, Moore and Chatham. Everywhere, the people and the lands alike are smiling with pleasure. The good news has traveled fast and well, and everywhere throughout those counties the people are still intoxicated with the glad tidings of our great political conquest. Add to this the fact that such wonderful crops as those of 1870 were never seen in this section and you can form some idea of the joy of the people and of the thankfulness that I believe they all feel for the merciful guidance of the Hand that has led us through the storms of the night. I have conversed quite freely with a great many of the people and I have yet to hear one man complain of his crops. First, there was an enormous yield of wheat and then came an abundance of oats, while now corn and cotton and tobacco,—the two former in especial,—are such as our farmers have never before known to bless their lands. But it is upon the orchards that the clouds seem to have most effectually dropped their fatness. Fruit, of all kinds, is in the most profuse plenty. The apple and the peach trees are loaded with their riches, and oftentimes give way and break beneath the weight, while the ground under the trees is burthened with the fallen fruit, which is so plentiful that it is gathered and thrown to the stock, or frequently left to rot where it has fallen. I am sorry to see that but little enterprise is shown, hereabouts, in gathering and drying this fruit. Many, a very many little comforts could thus be procured for the Winter household, but which will sometimes be lost through the improvidence of the Summer.

The affairs of the Western Railroad, under the management of President Jones, still drag their slow and weary length along. A trip on that road, a few days since, under the care of my old friend, Capt. J. T. Marsh, the conductor, evidences the fact that there is but little change on the line from Fayetteville to Egypt. Work has, however, been begun on the proposed extension to Greensboro, but it runs, thus far, but a short distance above Egypt.—There is now, I think, but little fear of its ever reaching the former place, as strong hopes are entertained here that its course may be again changed and directed on the originally projected route,—to Salisbury. This is the proper terminus for it and for this the people of Fayetteville and Wilmington should concentrate their energies. At Greensboro' it would only play second fiddle to the Piedmont Road, while freight would be gobbled up within ten miles of Fayetteville and sent on to Richmond and the North. On the contrary, it would connect at Salisbury with both the North Carolina, and the North Western North Carolina, Railroads, and would afford a natural outlet for the West to the sea coast and Wilmington. If something decisive is not effected this Fall, however, the benefits of the Road will soon be entirely lost to Wilmington and to Fayetteville also.

From the little observations I have been enabled to make, I am satisfied that the colored people will soon take kindly to the changed state of political affairs. Since the election they have heard little, or nothing, of the great bug-bear, a reduction to slavery, and they are beginning to believe that the whites are really their friends. Some 110 of them are employed as laborers on the extension of the Western R. R., and I must say that they appear entirely free from any very troublesome fears in regard to their political future.

You may perhaps hear from me again in a day or two. For the present good-bye.

Yours, SOMETIMES.

Accident to Bishop Davis.

We find the following in the Winnsboro' (S. C.) News of the 20th instant: "We are sincerely sorry to hear that the venerable Bishop Davis is suffering from an accident, having fallen from his bed, and it is feared has hurt his spine. The Bishop is entirely blind and very feeble. His visitation to Winnsboro' is necessarily postponed. He is at present at Camden.

Americans are said to be the greatest wearers of kid gloves of any nation in the world.

Those jute-switch-insect death items are becoming suspiciously numerous. Who has invented a rival chignon?

DIED.

In Beaufort, N. C., on the 22d inst., Miss RACHEL D. REDMOND, daughter of James M. Redmond, of Tarboro', aged 28 years.